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THE POISON FOUNTAIN

OR,

ANTI-PARENTAL EDUCATION.

ESSAYS AND DISCUSSIONS ON THE

SCHOOL QUESTION

FROM A PARENTAL AND NON-SECTARIAN STANDPOINT.

WHEREIN THE DECLINE OF PARENTAL AUTHORITY, THE DOWNFALL OF FAMILY GOVERNMENT, AND THE TERRIBLE GROWTH OF CRIME, PAUPERISM, INSANITY AND SUICIDES, IN AMERICA, ARE TRACED DIRECTLY AND UNMISTAKABLY TO OUR ANTI-PARENTAL PUBLIC SCHOOL SYSTEM.

✓ BY
ZACH. MONTGOMERY,
Of the California Bar.

SECOND EDITION.



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TO ALL
CHILD-LOVING FATHERS AND MOTHERS
OF AMERICA, WITHOUT DISTINCTION OF CREED OR PARTY,
IS THIS LITTLE VOLUME MOST RESPECT-
FULLY DEDICATED BY
ITS AUTHOR.



A WORD OF INTRODUCTION.

THIS book is intended to present a platform of universally recognized principles, whereon religionists of all denominations and non-religionists can and must unite, if they would move one step in the direction of educational reform. It traces the decline and downfall of parental authority, the ruin of family government, and the alarming increase of crime, pauperism, insanity and suicides in the United States, directly and unmistakably to our anti-parental public school system, and draws a parallel between the State system of education on the one hand, and the parental system on the other; giving the proof, in actual official figures, to show that those trained under the former system furnish, in proportion to population, six criminals for every one furnished by those trained under the latter system.

Let nobody condemn this book before he knows its contents. When on the ides of March, Julius Cæsar was on his way to the Roman capitol, where a band of conspirators were in waiting to take his life, it is related that one Artemidorus handed him a small piece of writing, to inform him of the danger which awaited him at the capitol, and urged him to read the little document immediately, as it was of great importance to himself. Indeed, so urgent was Artemidorus in his request, that the great Emperor, becoming impatient, exclaimed: "What! is the fellow mad?" How much better it would have been for Cæsar, had he read the note before deciding on the question of his friend's madness!

We now say to every parent into whose hands this little book may fall, and whose children are going to our anti-parental

schools, for God's sake, for the sake of your children, and of your own domestic happiness, stop one moment and read just the first ten pages of the facts—the stubborn, undisputed and indisputable facts and figures,—contained in this volume, and we promise that you yourself will say that there is in the public school-room a danger more to be dreaded than was that which awaited Julius Cæsar at the Roman capitol on the ides of March.

Now don't, as Cæsar did, say “What! is the fellow mad?” Wait until you have first read the document, lest the fruit of your folly be as bitter, if not as bloody, as that of Cæsar's.

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PART FIRST.

THE POISON FOUNTAIN OR, ANTI-PARENTAL EDUCATION.

CHAPTER I.

The writer intends to offer no apology to the reading community for the publication of this book. As soon would he think of apologizing to the slumbering inhabitants of a city in flames, for attempting to disturb their rest by the vigorous ringing of a fire-bell. Far better that they awake even in anger, than to awake not at all.

If the reader will but follow us, even to the extent of a few pages, we promise to demonstrate, by incontestable facts and figures drawn from sources which will not and cannot be impeached, that the calamity at which we are endeavoring to alarm our countrymen, is far more wide spread and direful in its consequences than any conflagration that ever devastated a city. We promise to prove that our boasted New England public school system, as now by law established throughout the length and breadth of the American Republic, is a poisonous fountain, fraught with the seeds of human misery and moral death. But, says the reader, how can that possibly be true? Can it be denied that an educated people are more moral and virtuous, more contented, happy and law-abiding than an ignorant people, and if so, how can it be charged that a system of education which almost entirely banishes illiteracy from the land, is fraught with so much evil to those who are brought under its influence? These are candid questions, and they shall receive candid answers. It is very true that *ignorance is the mother of vice*. It is also true that an educated people, *if properly* educated, are more moral, virtu-

ous, contented, happy and law-abiding than an ignorant people.

Thus far, we think there can be no difference of opinion between the most inveterate supporter of the New England public school system and ourselves.

Now, keeping steadily in view this common standpoint, namely, that a people *properly* educated are more moral, virtuous, contented, happy and law-abiding than an ignorant people, let us suppose that we somewhere find living, side by side, two communities, one of which is made up almost entirely of educated people, while the other is largely composed of illiterate people; and let us further suppose that amongst those considered educated you find that in proportion to their population they have six criminals to where the more illiterate community have but one; suppose that they have nearly two paupers to where the more illiterate people have but one; suppose that they have two insane to where the illiterates have only one; suppose that their death list shows four suicides to where that of the illiterates shows but one, and suppose that the same list shows three deaths from the criminal indulgence of the brutal passions, while that of the illiterates shows but two, what conclusion would you arrive at with reference to *that kind* of education?

Adhering to the proposition with which we set out a moment ago, namely, that a people *properly* educated are more moral, virtuous, contented, happy and law-abiding than an uneducated people, would you not be forced to the conclusion that there must be something wrong, *terribly, radically wrong*, in a system of education so much more direful in its results than even illiteracy itself?

But just here, perhaps, the reader will ask us, as he has a right to ask, "what application has your supposed case to the question under discussion?" Just have a little patience, good reader, and you shall see the application

For this educated community, let us take the native born white population of the six New England States, to-wit: Massachusetts, Maine, New Hampshire, Vermont, Connecticut and Rhode Island, and for the unlettered community, we will take the native born whites of the six States of Virginia, Maryland, Delaware, Georgia, North Carolina and South Carolina. It will be observed that the States thus enumerated are either a part of

the original thirteen, or such as have been carved out therefrom.

Both of these communities started on their career of existence about the same time; both were composed mainly of people from the same part of Europe; people who spoke the same language and had been accustomed to the same laws, manners and usages; people who possessed the same Christian religion, pretty much all of whom (outside of little Maryland) were of the protestant faith, and took as their religious guide the same bible and even the same translation of that bible.

There was *one* important particular, however, in which these two communities widely differed at the very start, as we shall presently see.

"More than two hundred years ago the principle was incorporated into the legislation of Massachusetts, that *the whole people must be educated to a certain degree at the public expense*, irrespective of any social distinctions." (A)

Again, "In Massachusetts, by statute, in 1647 each town consisting of fifty householders was directed to maintain a school to teach their children to read and write, and every town of one hundred families was to maintain a grammar school to fit youth for the college. The common schools of Massachusetts have been kept up to this day by direct tax and individual subscription, and nowhere in a population of equal extent has common elementary education been more universally diffused." (1)

"The compulsory system of supporting common and grammar schools in each town is sustained, to this day, in Massachusetts, and enforced by indictment. (2)

At a very early day, after their settlement, a similar system of education was adopted in all the other New England States, from which fact the system seems to have taken the name of "the New England system." Chancellor Kent says: "In New England it has been a steady and governing principle from the very foundation of the colonies, that it was the right and duty of the government to provide, by means of fair and just

NOTE A.—See work entitled "The Daily Public School," published by J. B. Lippincott in 1866, p 121. See Kent's Commentaries, vol. 2, p 210.

(1) See 2d Kent, 210-211.

(2) Commonwealth vs. Inhabitants of Dedham, 16 Mass. R., p 141.

“taxation, for the instruction of all the youth in the elements
“of learning.” (1)

On the other hand, the six enumerated States, comprising what we have agreed to call the unlettered community, steadily resisted the New England system up to a very recent date.

Virginia, which occupies about the same relation to the latter community that Massachusetts does to the former, according to Lippincott's *Gazetteer of the World*, published in 1856, had at that time “no general free school system, but “made an appropriation for the instruction of the poor.” (2)

Thus these two communities, the one *with* its New England public school system and the other *without* it, traveled along, side by side, for about two hundred years, until A. D. 1860, when the eighth United States decennial census was taken, and the following was the showing of these two communities, as will appear by reference to the annexed table No. 1. We find that at the date referred to, to-wit: 1860, Massachusetts and her five New England sisters had 2,665,945 native born white inhabitants, and out of these only 8,543 adults who could not read nor write, while Virginia, with her five sisters numbered 3,181,969 native born whites, of whom 262,802 adults could neither read nor write. So that in the six New England States the proportion of illiterate native whites was only one to every 312, while Virginia and her five sisters counted one illiterate to every 12. But mark you! how stand the criminal lists? Massachusetts and her five sisters, out of her native white population of a little more than two and a half millions, had on the 1st of June, 1860, just 2,459 criminals in prison, while Virginia and her five comparatively unlettered companions, with a native white population of over three millions, had but 477 in prison. That is to say, those educated under the New England system had one native born white criminal to every 1,084 native white inhabitants, while those who had generally rejected that system had but one prisoner to every 6,670, being a disproportion, according to the whole number of native whites, of more than six criminals in New England to one in

(1) See 2d Kent, 210.

(2) See Lippincott's "Gazetteer of the World," published in 1856, p 2049.

the other community. (B). A glance at the same table will show that the natives educated under the New England system had one pauper to every 178, while those who had managed to live without that luxury had but one pauper to every 345.

Of those who in one year had died by suicide, New England had one to every 13,285 of the entire population, while Virginia and her five sisters had but one suicide to every 56,584, and of those who perished, the victims of their criminal lusts, New England had one to every 84,737, while her neighbors, that had never enjoyed her educational advantages, had but one such victim to every 128,729. We have not before us the list of insane in the several States for 1860, so we borrow from the report furnished by the Census Marshal of 1870, where it appears that the New England system produced (of those born and living in their native States respectively) one insane person to every 800 native born inhabitants, while the rejection of that system resulted in one insane to 1,682 native inhabitants.

NOTE B.—The proportion is ascertained by simply dividing the whole number of native white inhabitants by the whole number of native white criminals. We omit the fractions in both cases. Great care has been taken to avoid mistakes in these computations, but should any inaccuracy be discovered, the author will take it as a favor to be informed of the fact, so that it may be corrected in future editions.

TABLE 1—1860.

Showing, 1st, the entire population; 2d, the entire native white population; 3d, the entire number of illiterate native white adults; 4th, the entire number of native white criminals; 5th, paupers; 6th, the entire number of deaths by suicide; 7th, deaths by syphilis in 1860 in the New England States, compared with the illiteracy, crime, pauperism, suicides, etc., among the corresponding classes in the six States of Maryland, Virginia, Delaware, Georgia, North Carolina and South Carolina. For the sources from which these figures are drawn see Eighth U. S. Census Reports for 1860, Mortality and Miscellaneous Statistics, &c.; for total population see Page XX; for native white population, Page LXII; for native illiterates, Page 508; for native criminals and paupers, see Page 512; for deaths by suicides and from syphilis, Pages from 6 to 42.

Results of the Anti-Parental Public School System in 200 Years.

STATES.	Population total.....	Population native white..	Natives over 21 yrs of age who can neither read nor write.	Proportion of native illiterate, being	Native criminals in prison June 1st.....	Proportion of criminals, being.....	Native paupers receiving State aid, June 1st, 1860.	Proportion of paupers, being	Suicides.....	Proportion of suicides, being	Deaths from syphilis.....	Proportion being
Maine.....	628,279	190,826	2,383	1 to 247	197	1 to 2,099	4,147	1 to 142	33	1 to 19,098	4	1 to 17,009
New Hampshire....	326,073	305,135	1,693	" 279	138	" 2,211	2,072	" 147	31	" 10,518	1	" 326,073
Vermont.....	315,098	282,355	933	" 302	80	" 3,259	1,510	" 186	20	" 15,749	"	"
Massachusetts.....	1,231,666	970,952	2,004	" 484	1,495	" 649	5,206	" 186	110	" 11,191	26	" 47,348
Connecticut.....	460,147	379,451	925	" 410	449	" 845	1,548	" 245	28	" 16,433	2	" 230,023
Rhode Island.....	174,650	137,226	1,202	" 114	100	" 1,372	1,445	" 308	14	" 12,472	4	" 43,655
Aggregate	3,135,283	2,665,945	8,543	312	2,459	1,084	14,928	178	236	13,285	37	84,737
Maryland.....	687,049	522,324	33,780	1 to 15	99	1 to 5,276	621	1 to 841	14	1 to 49,074	1	1 to 687,049
Virginia.....	1,596,318	1,070,395	83,300	" 12	103	" 5,566	4,320	" 247	30	" 53,210	9	" 177,368
Delaware.....	112,216	101,253	11,503	" 8	19	" 5,359	381	" 305	2	" 56,108	"	"
Georgia.....	1,037,286	698,417	43,550	" 12	77	" 6,992	1,106	" 483	22	" 48,058	10	" 105,738
North Carolina.....	932,622	638,204	74,877	" 8	62	" 10,617	1,452	" 462	15	" 66,174	7	" 141,803
South Carolina.....	703,718	291,316	15,792	" 18	57	" 5,110	1,494	" 207	8	" 37,903	13	" 54,151
Aggregate.....	5,149,199	3,181,969	262,802	12	477	6,670	9,204	345	91	56,584	40	138,729

Results of the Parental System of Education in 200 Years.

TABLE 2—1870.

Showing the number of native-born white criminals, paupers, and insane persons in the six New England States, compared with the number of native-born white criminals, paupers, and insane persons in the six neighboring States of Maryland, Virginia—West Virginia included—Delaware, Georgia, North Carolina, and South Carolina. Virginia and West Virginia are counted as one State, in order to include the same territory embraced in table No. 1. This table—No. 2—it will be remarked, shows the comparative amount of crime, pauperism and insanity in the several States enumerated, in 1870 after the latter six States had been desolated by a four-years war; after the foundations of their entire social and political fabric had been up-rooted, 4,000,000 of negro slaves emancipated, and the ruins of their State, County, and Municipal Governments had fallen in the hands of bad negroes or worse whites; and last, but not least, after the New England Anti-Parental system of Public School education had taken root in their soil and had begun to produce its natural fruits.

For the figures from which these tables are compiled see "Compendium of the Ninth Census of the United States, to-wit: For entire native population, p. 382; for native white population, p. 383; for native white criminals and paupers, p. 531, and for the insane, born and living in each State, p. 631."

STATES.	Population entire native.....	Population native white..	Native white prisoners June 1st.	Proportion of native white prisoners being...	Native white paupers receiving State aid June 1, 1870.....	Proportion of native white paupers being	Insane, born and living in the State.....	Proportion of insane being.....	
Maine.....	578,034	576,097	255	1 to 2,279	3,149	1 to 182	678	1 to	852
New Hampshire.....	288,089	288,117	159	" 1,447	1,739	" 165	401	" "	719
Vermont.....	283,396	282,492	143	" 1,975	1,331	" 229	357	" "	793
Massachusetts.....	1,104,032	1,050,843	1,152	" 946	5,353	" 304	1,446	" "	736
Connecticut.....	423,815	414,015	215	" 1,925	1,123	" 308	478	" "	886
Rhode Island.....	161,957	156,927	113	" 1,387	407	" 385	189	" "	856
Aggregate.....	2,836,953	2,808,491	2,077	1,352	12,972	216	3,549		800
Maryland.....	697,482	592,238	304	1 to 1,717	781	1 to 668	497	1 to	1,403
Virginia.....	1,211,409	638,388	331	" 2,109	1,942	" 358	1,082	" "	1,119
Delaware.....	115,879	93,101	13	" 7,101	223	" 417	47	" "	2,465
Georgia.....	1,172,582	628,173	126	" 4,985	1,270	" 496	508	" "	2,309
North Carolina.....	1,083,332	675,490	132	" 6,117	1,119	" 603	700	" "	1,405
South Carolina.....	697,532	281,894	130	" 2,108	888	" 328	308	" "	2,264
West Virginia.....	424,923	406,951	138	" 2,948	839	" 485	.....	.....	.....
Aggregate.....	5,388,539	3,306,235	1,174	2,816	7,062	468	3,202		1,682

TABLE 4—1870.

Compiled from United States Census reports of 1870—same pages as referred to in Table No. 2.

STATES.	Entire native population.	Native white population.	Nat. white prisoners June 1, 1870.	Relative prop'n of native white prisoners in each State being	Nat. white paup. sup. pub. expse J'co 1, 1870.	Relative prop'n of native white paupers in each State being	Ins'e born and living in the State.	Relative prop'n of insane born and living in each State being
Alabama.....	987,030	511,718	149	1 to every 3,434	354	1 to every 1,445	313	1 to every 3,153
Arkansas.....	475,446	337,230	137	" " 2,407	288	" " 1,240	41	" " 11,633
California.....	370,416	339,199	602	" " 612	351	" " 966	25	" " 14,016
Connecticut.....	423,815	414,015	215	" " 1,925	1,123	" " 368	478	" " 886
Delaware.....	115,879	93,101	13	" " 7,161	213	" " 417	47	" " 2,465
Florida.....	182,781	91,395	20	" " 4,569	80	" " 1,142	10	" " 18,287
Georgia.....	1,172,982	628,173	126	" " 4,985	1,270	" " 496	508	" " 2,309
Illinois.....	2,094,603	1,994,114	1,229	" " 1,624	1,213	" " 1,645	324	" " 6,249
Indiana.....	1,539,163	1,514,410	691	" " 2,191	2,563	" " 586	604	" " 2,548
Iowa.....	989,328	983,543	273	" " 3,603	486	" " 2,023	44	" " 92,481
Kansas.....	316,007	298,041	202	" " 1,473	105	" " 2,848	3	" " 105,395
Kentucky.....	1,237,613	1,035,346	525	" " 1,972	963	" " 1,075	804	" " 1,455
Louisiana.....	605,088	301,450	460	" " 655	279	" " 1,080	198	" " 3,358
Maine.....	578,034	576,097	255	" " 2,259	3,149	" " 182	678	" " 852
Maryland.....	637,482	572,238	304	" " 1,717	781	" " 668	497	" " 1,403
Massachusetts.....	1,104,032	1,030,843	1,152	" " 946	5,323	" " 204	1,446	" " 756
Michigan.....	916,049	900,630	617	" " 1,459	768	" " 1,172	140	" " 6,543
Mississippi.....	816,731	371,915	128	" " 2,905	413	" " 900	118	" " 6,921
Missouri.....	1,499,028	1,380,972	893	" " 1,546	1,090	" " 1,266	342	" " 4,383
Minnesota.....	279,069	277,579	65	" " 4,270	120	" " 2,313	11	" " 25,364
Nebraska.....	93,245	91,376	35	" " 2,610	54	" " 1,692	.....	" " .....
Nevada.....	23,690	23,332	37	" " 630	27	" " 864	.....	" " .....
New Hampshire.....	283,689	283,117	199	" " 1,447	1,739	" " 165	401	" " 719
New Jersey.....	717,153	686,589	483	" " 1,421	1,368	" " 501	506	" " 1,417
New York.....	3,244,406	3,193,160	2,323	" " 1,374	5,289	" " 584	2,612	" " 1,242
North Carolina.....	1,068,332	675,490	132	" " 5,117	1,119	" " 603	760	" " 1,405
Ohio.....	2,292,767	2,229,782	892	" " 2,499	2,659	" " 838	1,638	" " 1,899
Oregon.....	79,323	78,711	55	" " 1,431	62	" " 1,269	4	" " 19,890
Pennsylvania.....	2,976,642	2,911,750	2,088	" " 1,394	4,354	" " 668	2,451	" " 1,214
Rhode Island.....	161,957	156,927	113	" " 1,367	407	" " 385	189	" " 856
South Carolina.....	697,532	281,894	130	" " 2,188	888	" " 328	308	" " 2,264
Tennessee.....	1,239,204	916,330	342	" " 2,681	966	" " 949	69	" " 1,797
Texas.....	756,168	503,216	237	" " 2,123	73	" " 6,893	53	" " 14,267
Vermont.....	283,396	282,492	143	" " 1,975	1,231	" " 229	357	" " 733
Virginia.....	1,211,499	698,388	331	" " 2,109	1,942	" " 358	1,082	" " 1,119
West Virginia.....	424,923	406,951	138	" " 2,948	889	" " 485	.....	" " .....
Wisconsin.....	690,171	686,903	192	" " 3,577	374	" " 1,830	46	" " 15,003

TABLE 5—1870.

In 1870, the several States and Territories, of the United States, not counting Mississippi, Texas and Utah, supported 183,198 public school teachers, educated 6,228,060 public school pupils, at an expense of \$64,030,673. (See compendium of Ninth Census of the U. S., Page 488.) The following table is compiled from the above source.

STATES.	Total number of pupils, male and female, attending the public schools in 1870.....	Total income used for public school purposes.....	Cost to every pupil, being...
Alabama.....	67,263	\$ 629,626	\$ 9 36
Arkansas.....	72,045	552,461	7 66
California.....	75,527	1,627,733	21 55
Connecticut.....	88,449	1,426,846	16 13
Delaware.....	16,835	127,729	7 58
Florida.....	10,132	76,389	7 53
Georgia.....	11,150	175,844	15 77
Illinois.....	677,623	7,810,265	11 52
Indiana.....	446,066	2,063,599	4 62
Iowa.....	205,923	3,245,352	15 75
Kansas.....	58,030	660,635	11 37
Kentucky.....	218,340	1,150,457	5 26
Louisiana.....	25,832	473,707	18 33
Maine.....	152,765	843,435	5 52
Maryland.....	83,226	1,146,057	13 77
Massachusetts.....	242,145	3,207,826	13 24
Michigan.....	254,738	2,164,489	8 49
Minnesota.....	103,408	895,204	8 65
Mississippi.....	.....	.....	.....
Missouri.....	320,313	3,092,733	9 65
Nebraska.....	15,052	182,160	12 10
Nevada.....	1,856	81,273	43 78
New Hampshire.....	59,408	403,310	6 78
New Jersey.....	80,105	1,562,573	19 56
New York.....	719,181	8,912,024	12 38
North Carolina.....	41,912	205,131	4 89
Ohio.....	737,693	8,528,145	11 56
Oregon.....	29,822	139,387	4 67
Pennsylvania.....	745,734	7,292,946	9 77
Rhode Island.....	27,250	355,582	13 04
South Carolina.....	31,362	279,723	8 90
Tennessee.....	82,970	683,008	8 23
Texas.....	.....	.....	.....
Vermont.....	52,067	516,702	9 92
Virginia.....	8,700	98,770	11 35
West Virginia.....	101,493	599,811	5 90
Wisconsin.....	337,008	2,209,384	6 55

One very noticeable fact in this connection, as shown by the foregoing tables, is that in the State of Massachusetts, which claims the honor of being the founder of the New England system of education, while she had by far the smallest proportion of illiterate native born adults of any, even of the New England States, had at the same time much the largest proportion of native white criminals, she having one criminal to every 649 native white inhabitants.

The nearest approach to her was the showing made by the State of Connecticut, where there was one native white criminal to every 845 native white inhabitants.

And now, good reader, if you will take the pains to turn to the sixth column of figures in table three, which shows the relative proportion of native born white criminals in *every State* in the Union in 1860, you will see that Massachusetts stands solitary and alone in the grand and magnificent proportions of her criminal list. California at that time came next to her chosen model, having one native born white criminal to every 697 native whites, while Massachusetts had one to every 649.

California seems to have resolved, however, not to be surpassed in her crime list even by her great exemplar, for when the next decennial census reports were returned, to-wit: in 1870, California made a showing of one native white criminal to every 512 native white inhabitants, thus carrying off the palm which ten years before had been awarded to the old State of Massachusetts.

In view of the foregoing facts and figures, is it any wonder that the Boston correspondent of the *San Francisco Morning Call* tells us "that a large number of public school men have "come to the conclusion that the public school system of that "city is a failure?" (A). Or is it surprising that another of our leading dailies, the *Alta California*, speaking editorially of the same system as it exists in this State, calls it "our anaconda," and declares that if we are to "judge this system by its "apparent fruits, we shall have to pronounce it not only a melancholy, but a most disastrous failure, and that it will be "idle to look for the cause of the general rowdiness, idleness

NOTE A—See *Morning Call* of August 5th, 1877.

“and viciousness of the rising generation anywhere but in the “training which it has been receiving?” (C.)

Even after the civil war, which raged with such terrible fury over the Southern and Southwestern States, during the years from 1861 to 1865, whereby thousands of millions of dollars worth of property was destroyed, a servile race were emancipated and the very foundations of the whole social and political fabric upheaved and broken to atoms—even after all the bad government which bad white men and bad black men had succeeded in forcing upon the subjugated States—still, when the census reports for 1870 were published, they showed that neither their native white criminals nor paupers counted in the proportion even of so much as one, to where those counted two, who had been for two hundred years subjected to the ravages of the New England public school system. (See table No. 2.)

And this precious system of education is the great boon for which in 1870 the American people were paying to the tune of \$64,030,673, while at the same time they were grinding through this mill of moral death no less than 6,228,060 children. In order to maintain this very same system, California alone expended during the last fiscal year no less than \$2,749,729 16, as appears from the recently published biennial report of the State Superintendent of Public Instruction.

Indeed, so infatuated has our young State become with this crime and pauper-breeding system of public instruction, that she has made it a penal offense for the parent or guardian of any child between the ages of 8 and 14 years to keep such child from the public school, even for the sake of sending it to a far better private school of his own choice, and at his own expense, unless he first seeks and obtains the gracious permission of the School Directors so to do.

But lest the reader should be disposed to doubt the existence of so tyrannical a statute, here it is as enacted by the California Legislature on the 28th day of March, 1874 :

“SECTION 1. Every parent, guardian or other person in the State of California, having control and charge of any child or children between the ages of 8 and 14 years, shall be required to send any such child or children to a public school for a period of at least two-thirds of the time during which a public

school shall be taught in each city and county, or school district, in each school year, commencing on the first day of July, in the year of our Lord, one thousand eight hundred and seventy-four, at least twelve weeks of which shall be consecutive, unless such child or children are excused from such attendance by the Board of Education of the city, or city and county, or of the Trustees of the school district in which such parents, guardians or other persons reside, upon its being shown to their satisfaction that his or her bodily or mental condition has been such as to prevent attendance at school, or application to study for the period required, or that the parents or guardians are extremely poor or sick, or that such child or children are taught in a private school or at home in such branches as are usually taught in the primary schools of this State, or have already acquired a good knowledge of such branches; provided, in case a public school shall not be taught for three months during the year, within one mile by the nearest traveled road of any person within the school district, he shall not be liable to the provisions of this Act.

“SECTION 3. In case any parent, guardian or other person shall fail to comply with the provisions of this Act, said parent, guardian or other person, shall be deemed guilty of a misdemeanor, and shall be liable to a fine of not more than twenty dollars; and for the second and each subsequent offense, the fine shall not be less than twenty dollars nor more than fifty dollars, and the parent, guardian or other person so convicted, shall pay all costs. Each such fine shall be paid to the Clerk of the proper Board of Education or of the District Trustees.”

Thus it is that the votaries of this system have absolutely undertaken, by the most tyrannical legislation, to strip every parent of the guardianship of his children and to transfer their *entire* control to an irresponsible Board of School Trustees; so that if these School Directors choose to appoint a libertine or a harlot as the tutor of your daughters, and at the same time refuse their gracious permission for you to send them to a private school of your own choice, it is with fines or prison dungeons that the law proposes to reward you, should you, in obedience to the dictates of right reason and your own conscience, seek to shield them from the contaminating touch of a vile teacher. Is it any wonder that vice flourishes or that virtue perishes under the influence of such a system?

CHAPTER II.

WHEREIN THE NEW ENGLAND PUBLIC SCHOOL SYSTEM IS RADICALLY WRONG.

Every standard writer on the subject of either law or morals, proclaims with one voice that *parents* are bound by the natural law to feed, clothe and *educate* their own children. Bouvier says, "The principal obligations which parents owe their children are their maintenance, their protection and their education." (1). Chancellor Kent says, "The duties of parents to their children as being their natural guardians, consist in maintaining and educating them during the season of infancy and youth." (2)

Sir William Blackstone says, "The last duty of parents to their children is that of giving them an *education* suitable to their station in life ; a duty pointed out by reason and of far the greatest importance of any. For," continues that author, "as Puffendorf very well observes, 'it is not easy to imagine or allow, that a parent has conferred any considerable benefit upon his child by bringing him into the world, if he afterwards entirely neglects his culture and education, and suffers him to grow up like a mere beast, to lead a life useless to others and shameful to himself.'" (a). Dr. Wayland, in his elements of moral science, says : "The duty of parents is generally to educate or to bring up their children in such manner as *they believe* will be most for their future happiness, both temporal and eternal." (3) Again "he (the parent) is bound to inform himself of the peculiar habits, and reflect upon the probable future situation of his child, and deliberately to consider *what sort of education* will most conduce to his future happiness and usefulness," (4). Again, "The duties of a parent are established by God, and God requires us not to violate them." (5.) According to the laws of nature, says Wayland, "the teacher is only the *agent*, the *parent* is the principal." (6.) But, under the New England

(1) Bouvier's Institutes, vol. 2, p 118.

(2) 2d Kent, 196.

(a) Coolcy's Blackstone, vol. 1, p 449.

(3) Waylands' Elements of Moral Science, 314.

(4) Wayland's Moral Science, 316.

(5) Wayland 321.

(6) Wayland, 316.

system, as by law established, the parent is not recognized as the principal, nor is the teacher regarded as his agent. The Legislature of California has gone so far towards elevating the teacher above the parents, as to make it a penal offense for any parent to even insult the teacher of a public school in the presence of his pupils, no difference what the provocation may be.

Section 654, of the Penal Code of this State, reads, "Every parent, guardian or other person, who upbraids, insults or abuses any teacher of the public schools, in the presence or hearing of a pupil thereof, is guilty of a misdemeanor."

If the teacher insults the parent, in the presence of his children, there is no penalty to pay, or if the dirtiest loafer in the land insults the teacher of a private school, without the least cause or provocation, *that* is all right; but woe be to the father or mother, who has the temerity to breathe one offensive word against the teacher of a *public* school, in the hearing of his pupils, even should it be to chide him for his immoral conduct towards the child of the offender.

In his biennial report for 1864, our State Superintendent of Public Instruction—quoting from the judicial decisions of some of the Eastern States, construing their public school laws, which are, in all respects similar to our own—maintains the proposition that "*the child should be taught to consider his instructor, in many respects, superior to the parent in point of authority,*" and "*that the vulgar impression that parents have a legal right to dictate to teachers is entirely erroneous,*" and further that "*paren's have no remedy as against the teacher.*" (1) In the State of Vermont, in 1874, a School Committee expelled from a public school certain children because of their absence from school on a religious holiday, although they had remained absent in obedience to the commands of their parents; and this, too, was after the school authorities had been appealed to, in vain, for leave of absence. This action of the School Committee was afterwards sustained by the Supreme Court of the State, which based its decision, in part, at least, on the ground that "*no divine authority had been quoted or asserted*" to sustain the right claimed by these parents. (2)

(1) See Superintendent Swett's Biennial Report for 1864, p 164-5-6, and Judicial Decisions there quoted.

(2) *Ferriter vs. Tyler*, 48 Vt.. 444.

Thus the law of nature and nature's God, which ordains that it is both the right and duty of parents to educate their children "*in such manner as they believe will be most for their future happiness,*" is utterly disregarded and set at naught by the State, which ordains that it is neither the right nor the duty of parents, but of the State, to say when, where, by whom and in what manner our children shall be educated.

Now, it is always possible for either individuals or States to disregard and to violate nature's laws, but it is *not* possible to do so without suffering, sooner or later, a penalty, and a penalty, too, corresponding in magnitude with the importance of the law violated. Hence it is—and we assert it without the fear of successful contradiction—that those communities, which have so long and so glaringly violated nature's laws in the matter of education, are now reaping so heavy and so deadly a harvest of crime, pauperism, insanity and suicides.

Dr. Wayland has well said "that the relaxation of parental authority has always been found one of the surest indications "of the decline of social order and the unfailing precursor of "public turbulence and anarchy." (P). Now, under the law, as we have already seen, parental authority is not merely *relaxed*, but it is utterly set at defiance. What, we would ask, does parental authority amount to, in the matter of educating children, when a parent is not recognized as having any "*remedy, as against the teacher,*" for the wrongs he may perpetrate against his child, and when, as in California to-day, the parent, is in the eye of the law, a criminal, who ventures to send his own child to a school of his own choice, and at his own expense, without first going with his hat under his arm to a board of petty officials, to beg their *permission* so to do?

If parents, any longer, have the least vestige of authority over the all-important matter of their own children's education, which is not wholly subordinated to the private interests, prejudices, and petty spites of any and every little conclave of irresponsible upstarts who, by hook or by crook, can so manage on election day as to have their names on the tickets of the winning party, we should feel under many obligations if somebody would inform us what that remaining parental authority is, or where it is to be found.

(P) Wayland's Elements of Moral Science, p 313.

Is it not the almost unanimous cry, on the part of parents, throughout the length and breadth of the land, that they can neither command the respect nor obedience of their children? and are not our Police Courts crowded, and our county prisons and State penitentiaries being filled with beardless boys, many of whom have had comfortable homes, and have grown up in the society of respectable parents, but *never under their control?*

But, perhaps, we shall be asked why is it that neither politicians nor the parents of children have thus far done any thing towards furnishing a remedy for all these crying evils.

We answer, the reasons are numerous; but the first and most important reason we shall assign is *ignorance*: Ignorance of the true and Heaven-ordained relations between parent and child; ignorance of the reciprocal duties which they respectively owe to each other; yes, and ignorance—total ignorance—of the foregoing, terrible facts, so clearly revealed by the United States census reports.

Let any one who doubts the general ignorance of our people, on this last subject, test the matter, by catechising the first ten men he meets concerning the facts, shown by our published tables. The truth is, that the advocates of this New England system have been so long, so loud and so persistent in proclaiming to the world its supposed excellencies that nine-tenths of the world have, without the least investigation, concluded to accept it for all that its most enthusiastic admirers represent it to be. Were it not for the wide-spread and almost total ignorance on the part of parents, as regards the poisonous and deadly fruits which they and their children, and society at large, are daily reaping from this anti-parental system of education, it could not survive a single month, in its present shape. O, how true it is that *Ignorance is the mother of vice!*

Another reason why no remedy has been applied to this fearful malady is a long-standing, deep-seated and constantly fomented prejudice in favor of the public school system, which makes the politicians afraid to attack the monster, lest they hurt their popularity.

STILL ANOTHER DIFFICULTY,

Is a want of harmony among those who see and lament the terrible evils which this system is bringing on the country, and

who are willing to make any and every sacrifice to avert those evils. One says, let us have the Bible in the schools, another says no, I want no Bible in mine; a third says, let us divide the school funds amongst all the different religious denominations in such a manner that each denomination shall, as a body, have control of a portion of those funds corresponding with the number of its members; while a fourth says, away with such silly nonsense, we have far too much ecclesiasticism in the public schools already. But is there not, we ask,

A COMMON GROUND WHEREON EVERY FRIEND OF EDUCATIONAL REFORM CAN STAND?

Most undoubtedly there is. Let us recognize, just as the law of Nature recognizes, the *right* and the *duty* of all parents, having the ability so to do, to educate their own children in their own way and by the use of their own funds.

After all, it is not less the interest than the duty of parents, when they can do so, to pay the cost of their own children's education and not to allow the State to pay it for them, for be it remembered that the *cost and care of properly feeding, clothing and educating the child, are but the price which Nature demands of parents for the incomparable treasure of the child's love, honor and obedience, and just in proportion to the extent to which parents neglect or refuse to pay this price, in precisely the same proportion do they forfeit their right to this inestimable boon.*

Let us suppose that the State should take upon itself to feed and clothe, as well as to educate the child; does any one doubt that a child thus fed, clothed and educated at the public expense would grow up almost wholly destitute of parental affection? And who is so stupidly blind as not to see that the *education* of the child, after all, is the great nourisher of its affections? Respect, love and veneration do not depend near so much on either the source or the character of the food which enters the stomach, as upon the source and character of that which is taken into the mind and heart.

But in cases where parents have not sufficient worldly wealth to give their children a good elementary education, let the State aid them just exactly as it should aid them, when necessary, with means to feed and clothe their children, rather than let them either starve or go naked. But for the same reason that the State would not *feed* the children of its more needy

citizens upon the most dainty and costly delicacies, nor clothe them in the finest silks and satins, so neither should it *educate* them in those higher or merely ornamental sciences not necessary for those avocations in which they are likely to engage in after life. And when the State furnishes educational aid, let it do so, always, in harmony with the principles of parental guardianship over the child. Let the parent in such cases select the school, and the State pay the teacher. Let this boon be extended to all who need State aid, without regard to differences in politics or religion.

Perhaps, though, we shall be told that so radical a change in the public school system, as that suggested, would work the destruction of the system itself. If that be so, then we would ask whether it is better for us to destroy the system, or to let the system destroy us?

Again, it may, perhaps, be objected that even if every parent in the land had the means and the privilege of educating his own children in his own way, still there would always be found some parents in every community who would neglect this most sacred duty; and what ought to be done with such parents? We answer, what ought to be done with those heartless parents who, having the means at hand, either of their own, or such as have been furnished by the State, to comfortably feed and clothe their children, would, nevertheless, deliberately leave them to die of starvation or perish with cold? In either case such parents should be punished as criminals against the laws both of God and society. But so long as the State undertakes to force upon the children of any class of parents a system of education, which they cannot accept without a violation of conscience and of Nature's laws, it is nothing less than the most cruel tyranny on the part of the State to make such a system compulsory.

Let every friend of educational reform unite in maintaining these plain, just and most reasonable principles, and the day is not distant when—with Heaven's blessing—we shall restore parental authority, re-establish family government, and teach the rising generation to love, honor and obey, not only their fathers and mothers, but also the laws, both of God and their country.

CHAPTER III.

THE ANTI-PARENTAL SCHOOL SYSTEM DISSECTED AND ANALYZED.

Should we wish to ascertain the exact character and properties of the waters of our great Pacific ocean, we would not undertake to analyze the whole ocean, for that would be an endless task, but we would take up at most a few ounces of this water, and after making a thorough analysis of it, we would announce the result as indicating the properties and character of the waters of the Pacific. So it is if we would make a careful and reliable analysis of the essential principles and elements which go to make up what is known as the Public School System. If we were to undertake to subject to an analytical test the whole system with its entire paraphernalia of teachers, pupils, parents, school directors, school teachers, school books, school funds and school houses, as they exist throughout the country, we should become amazed and bewildered at the magnitude of our undertaking, and would probably abandon the enterprise in despair. So let us take from this very large mass of school material a small quantity of its essential elements, just enough to be handled with ease, and examined with care, and we shall be the better able to see what is the character of the ingredients which go to make up the system. In order that you, good reader, may not accuse us of unfairness in our selection of the particular sample to be analyzed, we will allow you to choose your own material. Then cast your eyes around you among your friends and neighbors, and name for us two of the very best, purest, most intelligent, highly educated and reliable men of your acquaintance. Let them be men of your own religion, and belonging to the same political party as yourself. In a word, let them be two men to whom, in preference to all others in the world, you would be willing to entrust the guardianship of that beautiful little girl of yours, should it please God to take you and her mother away from her during her years of childhood. Now, these two friends of yours, whom we shall call A. and B., we shall take it for granted are the very best material to be found in that great mass of voters who control by their votes the destinies, and shape the character of the public school system, as it exists in your city.

Now, suppose these two model men and neighbors should some day come to your house, and address you thus: Mr. C., we are informed that you are the father of a bright, beautiful and intelligent little girl, now about seven years old; just the proper age to begin her education. We feel quite anxious that she should be properly educated, and, to tell you the plain truth, we are afraid that if we leave the matter entirely with you, her education will be neglected. Now here is what we propose to do. We propose that we—your two best friends—together with yourself, shall all enter into a written contract, binding ourselves during your daughter's minority to contribute annually a certain percentage upon the assessed value of our property, which shall constitute a fund for the education of this, your little girl. But it must, at the same time and in the same contract, be stipulated that it shall at all times be in the power of a majority of us three to select the teachers and the school-books for your child. Should you, against the wishes and without the consent of a majority of us, take your child away and send her to some other school, you must agree to forfeit,—should we choose to exact it—not exceeding twenty dollars for the first offense, and not less than twenty dollars for each subsequent repetition thereof. You must also agree and bind yourself in advance not to withhold your assessment, even should you withdraw your child from the school of our selection, because we should, in that event, need the money for the education of other children.

Now tell us, good reader, could you ever consent, while living and in the possession of your reasoning faculties, to entrust such a power as this over your infant child—girl or boy—to any two men in existence? Would you not spurn such a proposition as the above with indignant scorn, come from what source it might? We may here remark, in passing, that it surely could not better the matter should these supposed friends and neighbors, in consideration of this proposed outrageous betrayal of your parental trust, even offer to perpetrate a similar wrong against their own children by turning over to you, the insulted father, a corresponding share in their parental authority. And yet, good reader, this miniature picture which we have just drawn of the public school system, presents that system in its very best possible aspect; because we have represented you, the father, as still allowed to retain in your own hands one-third of

that parental jurisdiction and control which the God of nature requires you to exercise over your child, while the other two-thirds are to be entrusted to two of the very best men in the whole community. But under the public school system as it is by law established, instead of retaining in your own hands even so much as one-third of your parental authority, you retain only an infinitesimal fraction thereof. Where there are, as in San Francisco, tens of thousands of voters, each father divides his parental authority into tens of thousands of equal fragments, retaining but one of these fragments for himself, whilst the great bulk of this authority, instead of being lodged, as in the case above supposed, in two of the very best men to be found in the city, is scattered around broadcast amongst tens of thousands of people, good, bad and indifferent. It is gobbled up and wielded by every rough and every rake who is allowed a vote; and this is what they call our great American Free School System.

CHAPTER IV.

A VOICE FROM SAN QUENTIN—CALIFORNIA'S EDUCATED CONVICTS—ALL THE YOUNGER CRIMINALS CAN READ AND WRITE—TWO MORE PENITENTIARIES NECESSARY TO ACCOMMODATE MASSACHUSETTS' PUBLIC SCHOOL PUPILS—CALIFORNIA PUBLIC SCHOOLS THE HIGH ROAD TO THE PENITENTIARY—HOW THE ONE SERVES AS A PREPARATORY DEPARTMENT FOR THE OTHER.

The following is from resident director's (Lieutenant Governor Johnston's) late biennial report, showing the condition of the California State prison and State prisoners for the two years ending June 30, 1877. This report, under the caption of "Educational," says:

"Turnkey's Table, Number VII, showing the educational abilities of the inmates of the prison, gives the number who can read and write at nine hundred and eighty-five; read but not write, at twenty-four; neither read nor write, at three hundred and nine. If we consider the number of Chinese and Indians in our prison who can neither read nor write, and deduct them from the whole number so as to match our Whites and Negroes against the same in other States, it will be found that ours possess the advantage in a large degree. In fact among the younger convicts they can all read and write."

The Turnkey's Table Number III shows that the number of Chinamen in the State prison is 197. Now if we deduct this 197 from the entire number of convicts who can neither read nor write, it leaves just 112 who can neither read nor write against 985 who can both read and write. Then again, from this 112 there remain still to be deducted the Indians, whose number is not given in the turnkey's table. But the most startling revelation contained in the above extract is found in the concluding sentence, which says, "*in fact among the younger convicts they can all read and write.*"

Now of the younger convicts, as appears from the turnkey's table (No. 6) there are some 253 but twenty-one years old, or under, while there are 831 under thirty years old. But while our young State is making such rapid strides in the way of forcing her boys first into her anti-parental schools and then into her penitentiaries, her great exemplar Massachusetts, it would seem, is not neglectful of her laurels. The regular Boston correspondent of the San Francisco *Morning Call*,

under date of November 16, 1877, says: "*The rapid progress of knowledge peculiar to the educational system of this State has led to the erection of two more State prisons, one of which for women was successfully opened a few days ago, the number of wicked females who knocked for admission being forty-four. Present indications point toward the rapid filling up of this new institution in a few months.*"¹

We are constantly told, by the friends and admirers of our anti-parental educational system, that it is much better for the State to expend money for schools and school-houses than for jails and penitentiaries. Now taking the foregoing figures as a basis of calculation, it would be a very interesting process, and would doubtless lead to most important results if some admirer of our present educational system, who is a good calculator, would make an estimate in dollars and cents of the amount of money saved to the State of California per annum by *that kind* of education which is sustained at a cost of more than two and a half millions of dollars a year, and which sends to the State prison its hundreds of beardless boys, while total illiteracy—which we all lament as a great evil—sends not so much as one solitary boy to that popular institution.

Should anybody, in making such an estimate, find the profits exceedingly small in proportion to the investment, let him not convert that fact into an argument against education itself, but only against this *anti-parental system* of education; a system which, being conceived in crime, brought forth in crime and nurtured in crime, must, of necessity, propagate crime. Hoping that some one better versed in figures than ourselves will solve for us the above problem, we shall now proceed to show HOW IT IS THAT OUR EDUCATED BOYS FIND THEIR WAY TO THE PENITENTIARY. Here, we will suppose, is an honest, industrious, hard-working laboring man, who has a family, consisting of himself, his wife, and half a dozen children, half girls and half boys. To put the case in as favorable an aspect as possible, we will suppose that he is in moderately good circumstances, being out of debt and the owner of a comfortable homestead, but is compelled to rely solely on his own labor and that of his wife for means wherewith to feed and clothe his family. All his children are of an age to attend school, and all are attending the public schools, *as the law directs*. In the first place, heavy and fre-

(1) See Call of November 25, 1877.

quent drafts are made on the father's scanty and hard-earned resources, in order to supply these children with all the required books and stationery. These six children, too, must each and all be dressed, not according to the means of their parents, but according to the rules of the school and the demands of fashion, and inasmuch as the more wealthy and aristocratic classes prescribe the law of fashion, they must dress as well as the children of the man who counts his wealth by the million. If they do not so dress, they will have to encounter not only the contemptuous sneers of fellow-pupils and classmates, but, perhaps, the displeasure of teachers, if not expulsion from school. The father would reason and, perhaps, remonstrate with the teacher on the subject of these rigid and extravagant rules of dress, but then he remembers that the law has said, that the teacher of a public school is not the agent of the parent, nor answerable to him for his conduct toward the pupil. He also remembers that the law makes it criminal for a parent to insult a teacher, while the teacher may insult the parent with impunity; and for these reasons he does not care to risk an altercation with the teacher on the subject of the boys' dress; it would be too unequal a contest. So, in order to meet these growing demands for books, stationery and clothing for their children, these poor parents are compelled to work harder, dress lighter and feed more scantily than is compatible with either health or comfort. The father rises earlier in the morning than formerly, works later at night, and goes with worn-out, ragged, or patched-up clothes, in order that his eldest boy may get a new suit, so as to make as respectable an appearance as any lad at the Lincoln School.

The mother, too, in worn-out and tattered apparel, plies her washboard with unwonted vigor in order to get money to pay the dressmaker for fitting, cutting and making Lizzie's nice new dress, for the teacher says she must not come to school looking like an old washerwoman's girl. The daughter, too, is learning to play upon the piano, and of course it will not do for her to lend a helping hand towards washing either clothes or dishes, for the teacher says it will spoil the shape of her fingers and impair the delicacy of her sense of touch. Thus both father and mother work harder than slaves, and dress coarser than beggars, in order that their children may enjoy the great advantages of our glorious free school system of education.

IN the meantime these children are sitting in the same classes, studying the same books; wearing the same costly fabrics, participating in the same amusements, contracting the same habits, imbibing the same love of ease, and the same aversion to manual labor, and the same contempt for manual laborers, as do their far more wealthy and aristocratic schoolfellows.

Leaving out of sight the five younger children, we shall now give our undivided attention to the eldest son of this poor laborer.

After years of study he at length completes his course at the Lincoln High School, acquitting himself with great honor, amidst the cordial congratulations of professors and school directors, and eliciting the vociferous applause of the admiring multitude. We may imagine we see his poor old father crouching on the outskirts of the crowd, feasting his eyes upon an occasional glimpse of his boy, but not daring to approach him because he has no clothes fit to be seen on such an occasion; doubtless that father is picturing to himself a brilliant future for his boy. He is, perhaps, looking forward to the time when he shall be a governor, a senator, or possibly President of the United States. Very likely, too, he fancies that in his declining years he shall be able to look to his son for that assistance and support which his own exhausted means may then refuse to afford him. But alas! how baseless are all these castles in the air. The day after quitting school the young man finds himself for once thrown on his own unaided resources. His father says to him: "Well, my boy, I have been a long time struggling with poverty and want in order that you might become educated. You see that both your mother and I are in rags, and that handsome suit which you now wear is yet to be paid for. You now have a fortune in your education, and hereafter you must learn to shift for yourself and, if possible, lend a helping hand from time to time to the support of your younger brothers and sisters.

Thus situated, the young man probably for the first time in his whole life, asks himself seriously the question, what business is he going to follow? A more appropriate question would be, what business can he follow? There he stands in the midst of a great bustling city, without a cent of money at his command; without friends, without occupation, and without the necessary qualifications for any earthly employment within

his reach. Probably his first effort will be to find a position as clerk in some bank or other business establishment; but he soon learns that these positions are all filled by the sons of wealthy or influential parents. Occasionally he meets a former schoolmate, discharging the duties of some coveted place, but on inquiry, he learns that he has obtained his position at the instance of a wealthy father or an influential friend. Failing in everything else, he at length seeks for copying as a means of earning bread. He gets hold of a city directory and makes a list of the names and locations of all the law offices in the city. He then goes from office to office in quest of the only work he really knows how to do. But everywhere he is forestalled; everywhere he is doomed to disappointment. On every hand he meets young men and boys similarly situated, and making similar fruitless efforts to raise a few dimes with which to stave off starvation. Already the boy has spent weeks in an earnest but vain endeavor to find work as a copyist. In the meantime he has been living partly on his old father, and partly on what he could pick up at the free-lunch tables. Seeing the son's extreme embarrassment, the father perhaps suggests to him that inasmuch as he has been disappointed in everything else, he had better come and help him lay down those cobble-stones on Battery street, where he can at least earn money enough to buy victuals and clothes. But, alas! his hands are wholly unused to toil, and what is infinitely worse, he has been, as we before said, so trained up as to despise both manual labor and manual laborers. He would be ashamed for one of his school companions to even meet him walking the street in company with his own father, because of the old man's horn-like palms, and his laborer's dress, so that even if he knew how to work, still in view of the fact that it was only the other day that he finished his educational course with so much eclat and amidst such a shower of bouquets as rained around him from the fair hands of San Francisco's wealth and beauty, is it to be expected that he is now going to heave cobble-stones on a public street here under the very shadow of his *alma mater*; to be twitted and jeered at by those who envied him the literary honors with which he came loaded from the Lincoln school? No, no; that is utterly impossible; propose anything but that. Yet, says he, something must be done, and that soon; I must have clothes, and I must have bread; the world owes me a living, and I intend to have it.

Thus saying, he turns his back upon his humble and destitute home, and betakes himself again to perambulating the streets, ready for any desperate turn in events that promises him money.

Let the reader pause here, and ask himself the question, what is there to save this youth from becoming a pest to society, a disgrace to his old father and mother, and finally a convicted felon, doomed to serve the State within penitentiary walls? Perhaps it will be claimed that the bare recollection of his newly acquired literary honors and the fear of losing the esteem of those who, the other day, so vociferously applauded his youthful oratory and threw at his feet such a profusion of flowers, ought of itself to be sufficient to shield him from temptation's harm. But unfortunately, those withered flowers will not serve for food, nor can he make clothes either of approving smiles or shouts of applause. But can it be possible, you say, that one so young, so intelligent and so well educated has no respect for the law? Why, sir, if you talk to him about respecting the law, he will laugh you to scorn. Who is it that respects the law, he will say, except just so far as the law subserves his purposes? Have we not laws against bribery? and yet do not even our law-makers, on election days, send out their dirty minions with money in their pockets with which to buy their way into the very halls of legislation? Are not seats in the United States Senate sometimes bought with gold? And does not the President of the United States himself at this very moment hold his high office by virtue of a false and forged certificate of election? Then why prate to me about the sanctity of the law, when the very men who make the laws trample them unceremoniously under their feet whenever it suits their purposes. But, you will say, if this youth has no regard for human laws, surely he cannot be wholly indifferent to the laws of God. Be not so fast, my dear sir. Have you forgotten that the boy was educated in our public schools, where it is a criminal offense, punishable by a forfeiture of all interest in the public school moneys, to even mention the subject of religion in the hearing of a pupil. And do you know that there is no such prohibition against inculcating the horrible doctrines of atheism in these schools? That many of our public school teachers are avowed atheists, who believe neither in God nor Devil; neither in Hell nor Heaven, and that our young hero is a firm believer in these dismal and diabolical

doctrines? Very true, you say; I knew very well that no religion was allowed to be taught in the public schools, but then why did not his father and mother teach him religion at home?

We first answer the question by asking another, and it is this: How do you know that his parents themselves had any well defined notions of religion? Or in fact any religion at all? If they had firmly believed in the teachings even of that natural religion which an almighty hand has written in indelible characters on every human heart, they surely would never have consented to surrender to the public at large the right to select the teachers, and in all essential particulars to shape the mental and moral as well as the physical destinies of their child.

But suppose that his parents were in every other particular real models of perfection, both in their professions and in their practices of religion, was it to be expected that he, their son, would accept religious instruction from them? Are not they illiterate, and is not he educated? And shall wisdom take lessons from ignorance? Has he not learned to despise them both for their poverty and their simplicity? Can it be doubted that even the sacrifices which they made in his behalf; that the very patches with which they mended their old garments, in order that he might be handsomely dressed; that the very toils and hardships which have wrinkled their brows, soiled their features, and imparted the bony touch to their palms in order that he might learn to lead a life of ease, and freedom from manual labor, are, on his part, requited with coldness and contempt? And after learning to despise his parents, is it at all likely that he would profit either by their religious instruction or their praiseworthy example? No, no, their religion, just like their toilsome lives, and their old clothes, may be good enough for them, but to an educated young man like himself it is only a bundle of cumbersome and useless rubbish, and he will have none of it.

Then, since our young hero has learned to respect neither the laws of man, nor the laws of God, and will neither be directed by the good counsels, nor influenced by the exemplary lives of his own father and mother; where, let it be asked, shall we look for the controlling power that is to shape his future destinies? Just follow him, as he hurries along yonder busy street, and you shall see. Already he is in company with half a dozen of his late school-mates, each of whom has a tale of woe and dis-

appointment to tell, quite like his own. Now, for the first time since leaving school, each and all of these boys find themselves in congenial society. They feel that the world cares nothing for them, and they care nothing for the world. They all have empty stomachs and seedy clothes, and there is not money enough in the crowd to purchase even one night's lodging, at the meanest lodging-house in the city.

One of the party suggests that, having failed in everything else, he has an idea of making an effort to get a position as dish-washer in some hotel, or failing in that also, he might seek employment as stable-boy, to clean out the stalls of some livery stable. The majority of his companions, however, frown down the proposition with contemptuous indignation, and our hero threatens never hereafter to speak to the low-bred rascal, should he ever again be guilty of advancing a proposition so far beneath the dignity of an educated gentleman. In order, however, to put at rest the question as to the feasibility of finding even that kind of employment, one little fellow, the smallest in the crowd, puts in a word to assure his companions that there is not enough in the last suggestion to be worth quarreling about. He says he has been, for the past three days and a good part of the nights, hunting from house to house, both in public hotels and private dwellings, for any kind of light work, such as boys could do, and everywhere he has found the field already occupied, most always by Chinamen; whereupon they all agree that they could not if they would, and would not if they could, enter into successful competition with Chinamen, for the honor of discharging the menial duties of kitchen servants.

At this particular juncture one of the party suggests that his old widowed aunt has \$500 in gold twenties, buried under her barn floor; and that he knows just where to find the cash. They can get this money and nobody but themselves need be any the wiser for it. He says she has plenty without that, and she is such a stingy old hag that it would be serving her just right for them to go and relieve her of that five hundred. We do not propose to follow this little band of young hoodlums farther, for the present, but if any friend of our present public school system can discover any motive which will deter from crime and preserve from the penitentiary any one of the hundreds upon hundreds of our city's youths, whose education and situation in life differ in no essential particular from that of

the boys just above described, he will, by pointing out such motive unquestionably confer a great and lasting benefit both on the rising generation and on society at large. From the fate of this eldest boy of our poor laborer we shall leave the reader to guess the doom which awaits his younger brothers and sisters.

PART SECOND.

PREFACE TO PART SECOND.

It is now about seventeen years since the writer of these pages, in order to carry out the wishes of some fourteen thousand petitioners, introduced into the legislature of the State of California a bill for the purpose of radically modifying and reforming our public school system. As was anticipated at the time, the bill failed to pass; but enough was said and done on the occasion in connection with the subject of the bill, to bring down on the head of its introducer the merciless misrepresentations, unmitigated abuse and bitter maledictions of thousands of people, who had never seen the bill, and had only the most distorted and erroneous notions as to what its provisions were. It was said to be a Catholic bill, and yet nobody could point out that part of the bill which proposed to grant any more privileges to Catholics than to Mormons or Millerites. It was said to be a *sectarian* bill, yet nobody could tell from the bill which was the favored sect. During the same term of the legislature at which this bill was introduced, the late civil war was inaugurated, and that, of course, threw the school question far into the shade. At the ensuing session of the legislature, an act was passed, requiring attorneys-at-law in this State to take what was known as the "attorney's test-oath." The writer being a strict believer in the Jeffersonian doctrine of States rights, refused to take this oath, and shortly after he quit the practice of law and established the *Occidental* newspaper, chiefly with a view to fighting the school question. While conducting this paper he was drawn into a number of discussions, through the press and otherwise, with many of the leading advocates of our existing anti-parental public school system.

These discussions, wherein both sides of the question are represented, together with the chief points of the debate which took place in the legislature in 1861 on the subject of the school bill above referred to, constitute the principal portion of

part second of this book. These discussions present the earlier views of the writer, which, though considered at the time extremely radical in their opposition to the leading features of the New England public school system, were, nevertheless, not quite so radical as are his more recent and better matured opinions, as expressed in Part First of this book. Although these discussions have by no means exhausted the subject, yet we humbly hope that they may, to some extent, be instrumental in awakening parents and politicians to a sense of the great danger to be apprehended, both to the family and the State, from a system of education, which, in defying the laws of nature and nature's God, thereby logically and necessarily sanctions disobedience to all law.

PART SECOND.

CHAPTER V.

THOUGHTS ON GOVERNMENT—THE PRINCIPLES OF GOVERNMENT AND
THEIR APPLICATION TO THE SCHOOL QUESTION.

We hold it to be a first principle of self-government, that every individual as well as every society or association of persons, whether composed of few or many, has a right to make and enforce such rules and regulations as appertain to its own social and domestic policy, without let or hindrance from the balance of the world, so long as these rules and regulations do not in their operation conflict either with the rights of others or with the natural law.

For example, to begin with the individual. We maintain that every sane man has the right to fix his own hours as well for retiring to rest as for rising in the morning; he has a right to determine for himself the kind and quality of his food, his drink, and his apparel; he has a right to select for himself the wife who is to be the mother of his children, and who is destined to share with him through life in his joys and his sorrows. Yea, we go so far as to maintain, notwithstanding the Connecticut blue laws to the contrary, that a man has a right to kiss his own wife, even on a Sunday, if he chooses so to do.

Passing from the individual to society, we find that the first and oldest society ever established upon earth, was what may be termed the family society—a society composed, when complete in all its parts, of father, mother and children. Of this society, the father and mother are the legitimate law-givers; to them belongs the right to prescribe the rules and regulations for the family government, without interference on the part either of city ordinances, State legislation, or federal enactments.

So, likewise, every city, county, State and nation, is entitled to, and should be left in the free exercise of its own best judg-

ment and discretion in making those rules and regulations designed solely for its own domestic policy and government. Let this principle be denied, and the whole theory of self-government falls to the ground.

The principle here asserted is founded both in reason and justice. It is founded in reason, because no one is supposed to know so well whether a certain law is adapted to the condition and necessities of a given society as those who are themselves members of that society. For example, the miners of California understand much better what kind of laws are necessary for the protection of their rights and interests than do either the factory men of Massachusetts, or the rice-growers of South Carolina. So likewise do the citizens of Louisiana comprehend far better than the inhabitant of Maine or New Hampshire the intelligence, disposition and capacity of the freed negroes by whom they are surrounded, and with whom they are brought in daily contact. It follows, as a consequence of this superior comprehension of the qualities and capacities of the negro, that they are in a far better condition to legislate concerning him than the man whose knowledge of the subject rests solely upon speculation, or at best mere secondary evidence. But as we have said, this principle of self-government is no less just than reasonable. What can be more tyrannical than to compel a community of persons to submit to laws regarded by them as oppressive, and at the same time deprive them of all power to remedy the evil, and that, too, when the remedy they propose could only affect themselves? Can anything be more cruelly unjust than for either a community or an association of communities to impose oppressive laws upon others, while they themselves are not only free from the injurious operation of these laws, but are perhaps gratifying a malevolent feeling, or else reaping profit therefrom. We maintain, then, that the invasion of, or interference with this right, which every community, whether great or small, possesses of ordering and regulating its own domestic affairs, should be regarded and treated as an act of tyranny. This, we contend, is equally true whether the community thus interfered with holds the position of an independent State, or whether it forms but a subdivision of the very community or State by which its rights are invaded. So far as the establishment of its own domestic rules and discipline is concerned, every society

stands, or should stand, in the relation of a foreign government to all the rest of the world.

These principles lie at the foundation and constitute the very corner-stone of both civil and religious liberty. They are alike applicable to a village debating society, and to an ocean-bound republic. Observing these principles, no nation has ever been enslaved, nor has any long submitted to their violation without a loss of liberty.

So far we have spoken of the principle of self-government in its general application to all classes of human associations, beginning with the family and ending with the State. We shall now return to the point where we started, and consider more at length the importance of this principle in its application to the family government. It is to the family that we must look for the source, the great fountain-head of all human societies. All the nations of the earth, past as well as present, with their myriads upon myriads of civilians and soldiers, their men, women and children, of all ages, complexions and conditions, owe their origin, their growth and their power to this one original source. Let this source be dried up, and the great stream of human society will cease to flow; let it be polluted, and that stream will of necessity partake of the defilement.

Those who have been entrusted with the reins of family government have a duty to perform more binding than any imposed by human laws. The King or the President may resign his position, and throw the burden of his government on the shoulders of others; but not so with the father and mother of a family. They can never, without playing the part of most unnatural monsters, resign into other hands that paramount authority which they hold over their own children.

The laws which are laid down for the government of the family society not only boast a greater antiquity, but they claim a far higher authority, and stand upon an infinitely more enduring basis than any that ever emanated from the legislation of man. Their antiquity dates from the morning of creation; their authority rests upon the positive command of God Almighty; and their stability is as enduring as eternity itself. All human laws are subject to modification or repeal. The laws of nations may vary according to times, circumstances, and the demands of international commerce. The laws of Great Britain, France, or Spain are liable to be modified or repealed, and

even their entire form of government changed. The constitution of the United States, and the constitutions and laws of the several States may all be altered or abolished by the States or people who breathed them into being, but the law which commands the husband to love and protect the wife; the wife to yield both affection and obedience to the husband; the parents to feed, clothe, and educate the child, and the child to love, honor, and obey its parents, derives its authority from no human legislation, and can never be annulled or repealed by any power short of Omnipotence itself. Honor thy father and thy mother is a law as binding to-day as when first proclaimed in thunder-tones from the blazing heights of Sinai.

And who is so blind as not to recognize a visible display of the wisdom and goodness of the Almighty in thus guarding, protecting, and hedging in, as it were, by irrevocable laws of His own divine authorship, the family government—that great fountain-head whence, as we have seen, all other governments take their rise?

It is our intention to discuss in future articles more *in extenso* the nature and character of these laws, particularly those which relate to the education and government of the child. We shall steadily maintain, and still further demonstrate that the New England common school system in its present shape, both here and elsewhere, is directly at war with the principles above enunciated; and that it has done, and is now doing, far more to demoralize and corrupt the hearts than to enlighten the minds of our youth. It has set at defiance parental authority, introduced discord and strife into the domestic circle, turned happy homes into earthly hells; and, after having virtually destroyed the family government, it has sent its deadly virus into the veins, arteries, and very heart's blood of every department of our Federal, State, and municipal governments; everywhere rankling, festering and breaking out, in the shape of dishonesty, frauds, perjuries, defalcations, and the most gigantic, barefaced and hitherto unheard-of robberies, perpetrated with impunity, not only upon the public moneys, but upon the dearest rights and liberties of the people.*

**Occidental*, April 15, 1866.

CHAPTER VI.

PARENTAL LOVE AND EDUCATION.

All nature, history and the Bible abound with the most incontestable proofs of the high, the holy and the divine origin of parental affection. Indeed, it may be termed the great vital and indispensable principle whereby animated nature propagates itself. Without parental affection, the fowls of the air would neither hatch their eggs nor gather food for their young. Without it, the lioness would leave her whelps to perish by the jaws of the first carnivorous beast that might pass along, or perhaps would herself devour them for food. Deprive the most doting of human mothers of parental affection, and, unless restrained by the law of conscience, she would not hesitate to imbrue her hands in the innocent blood of her own sweet babe.

Some of the most beautiful, eloquent and soul-inspiring passages to be found either in history, poetry or revelation, are illustrative of the sublime power of parental love and affection. When the mother of the Gracchi was asked where were her jewels, that noble old Roman matron proudly pointed to her sons. It is also a noteworthy fact, recorded by the historian, when speaking of the education of these sons of Cornelia, that, "under her maternal guidance, aided by the best Greek masters, they soon surpassed in accomplishments all the Roman youths of the time."

In the language of the gifted James Montgomery, the poet:—

"A mother's love—how sweet the name!
 What is a mother's love?
 A noble, pure and tender flame
 Enkindled from above
 To bless a heart of earthy mold
 The warmest love that can grow cold,
 THIS is a mother's love."

Such is the love which the parental heart feels toward the offspring, where this natural instinct has not been grossly perverted by some unnatural system of training, that no more deadly blow can be aimed at the happiness of the parent, than that which falls upon the head of the child. For example: When the brethren of Joseph brought to their father one of Joseph's garments dipped in the blood of a goat, pretending that their brother had been devoured by wild beasts, the father,

believing that his child was dead, would not be comforted, but declared that he would die mourning for his son. He looked upon life as no longer desirable, now that beastly violence had robbed him of his boy.

When the Almighty chose to put to the severest test the faith and obedience of Abraham, He did not ask him to surrender his vast landed possessions, nor his countless herds of sheep and cattle, neither did He ask at his hands gold or silver, or any other species of accumulated material wealth; but he demanded a sacrifice of that which He knew Abraham prized higher than all the wealth of the universe. "Take thy only begotten son, Isaac, whom thou lovest, and go into the land of vision, and there thou shalt offer him for a holocaust."

When the patience and fidelity of Job were being subjected to the most terrible ordeal, he sat in silence while three successive messengers reported the driving away of his asses and his camels, the slaying of his servants, and the consuming by fire from heaven of his sheep and shepherds; but when the fourth messenger came in, announcing the death of his children from the falling of the house in which they were feasting, then it was that the man of patience and unparalleled fortitude rose up, rent his garments, shaved his head and fell upon the ground.

Perhaps the most notable instance of parental affection to be found recorded in either sacred or profane history, is that related of the great King David, the man after God's own heart. Notwithstanding that his wicked and rebellious son Absalom had violated the sanctity of his marriage-bed, and that in the most public and disgraceful manner, and had raised and marshalled mighty armies, with a view to taking his father's life, and usurping his kingly office; yet, when King David received the news of his son's death, forgetting, in the paroxysm of a father's anguish, all the wrongs of his dead child, he burst into a flood of tears, exclaiming: "Absalom, Absalom, my son; who would grant me that I might die for thee. Absalom, my son, my son, Absalom." Thus it appears that not only did King David still love his reprobate son, in spite of all the wrongs he had perpetrated against him, but he loved him to a degree which made him desirous of giving his life for him.

Parental love appears more deeply and indelibly written upon the human soul than almost any other of nature's laws,

and consequently, when every mark of divinity besides seems obliterated from the heart, or wholly begrimed with crime, the voice of parental affection still asserts its sway. Like Napoleon's drummer boy, beating his own funeral dirge, while being buried beneath the plunging avalanche of the Alps, so does parental love sing its own requiem, with fainter and fainter note, as the guilty soul sinks deeper and deeper into the whirling vortex of crime. It is only when utterly lost in the abyss of iniquity, and when the last vestige of the Almighty's image seems blotted from the human soul, that the parent forgets entirely to love his child. Even the hardened heart of the wicked Pharaoh, in his guiltiest hour, never ceased to pulsate under the influence of this heaven-inspired emotion. That remorseless tyrant stood unmoved amidst some of the most appalling and miraculous visitations of Divine Providence. He saw the waters of Egypt turned into blood; the land overrun with toads in such numbers that they filled the houses, the beds and the food; he saw the air impregnated with every species of loathsome insects, and the very dust of the earth turned to sciniphs; he beheld the cattle stricken down with murrain—men and animals and growing crops rent and torn with hail and scorched with sheets of flame; he saw the last green thing devoured by armies of locusts, and the entire kingdom covered with three days' tangible darkness; but, strange to say, this accumulation of calamities softened not the heart of that wicked prince. "Yet one plague more," said the Almighty, speaking to Moses—"Yet one plague more will I bring upon Pharaoh and Egypt, and after that he shall let you go and thrust you out." But what was this one plague more—this choicest of heaven's bolts—which, in the language of inspiration, was to cause "a great cry in all the land of Egypt, such as neither hath been before nor shall there be hereafter."

That one plague more, that eleventh catastrophe which was to be the climax of Egypt's woes, and to wring from the cruel and ten times hardened heart of the despot his unconditional assent to the departure of the Israelites, was nothing more nor less than an omnipotent touch upon that tender chord of the human heart which we call parental love. Every first-born child of Egypt, from that of Pharaoh, who sat on his throne, unto the first-born of the captive woman that was in the prison, was to be struck dead by the destroying angel. This it was that

filled the land with mourning, broke the tyrant's grasp and snapped asunder the chains which for ages had held in bondage the chosen people of God.

Parental love, when rightly directed and properly regulated, looks more to the intellectual and moral excellence than to the mere material welfare of the child. Virginius much preferred to see his virgin daughter a lifeless corpse at his feet rather than have her live the polluted mistress of a Roman governor. So with the mother of the Machabees. Dearly as she loved the lives of her seven sons, she preferred to see them, one after another, roasted in heated caldrons, their tongues cut from their mouths, the skin torn from their heads, and, one by one, the limbs wrenched from their mangled bodies rather than see them prove recreant to the voice of conscience.

Here we have the very highest exhibition of the most exalted character of parental love; a love which lifts the child from the impure and fetid atmosphere of time, far up into the bright and cloudless realms of eternity, sending back to God without spot or blemish the pure spirit whose custody and training he had for a time entrusted to earthly parents.

The foregoing are a few among millions of examples illustrating the workings of that noble and God-like sentiment called parental affection, which an infinitely wise, infinitely merciful and infinitely powerful creator has chosen to implant in the hearts of those to whom he has committed the care and education of children. Because he desired the fishes to swim, he gave them fins; because he desired the birds to fly, he gave them wings; and because he desired and commanded that parents should feed, and clothe, and train up their children in the way that they should go, he gave them parental love.

We hesitate not to assert that the man who loves not a child with a parental love can no more perform, in all their completeness, the duties of the parental office than a bird can fly without wings, or a fish swim without the organs that appertain to a fish. Who then can measure the folly of that parent—to call it by no harsher name—who will voluntarily surrender the paramount custody of his child into the hands of a soulless corporation, to be instructed by teachers not of his own choice; teachers whom he never saw; of whose mental and moral capacity he knows absolutely nothing, and whose selection

depends upon the fickle results of a political election, where bribery and bad whisky are often far more potent than the votes of honest men.*

**Occidental*, October 29, 1866.

CHAPTER VII.

DUTY OF PARENTS IN THE MATTER OF EDUCATION.

If we cast our eyes abroad into fields of animated nature, we shall find that the Almighty has imposed upon every living creature the duty of protecting, nurturing and training up its young. Thus all the birds of the air, from the little swallow that builds its nest beneath the cottage roof to the stalwart eagle that inhabits the overhanging cliffs of the mountain, in obedience to the dictates of nature, supply with food, and watch with sleepless vigilance their helpless fledglings, until, with full grown plumage, they can safely venture upon their airy path. It is by the parental guardian that the timid fawn is first taught to dread the smell of gunpowder, and to flee at the hunter's approach. The Almighty, as if to take a bond of the parent for the faithful performance of this duty, has stamped, not alone upon the heart of man, but upon the nature of every living creature, a most lively and unconquerable affection for its young; an affection which, in presence of danger to its offspring, inspires with courage the most timid of animals.

Now, we maintain that as far as man surpasses the mere brute in the scale of creation, just so far does the obligation which rests upon him of supporting and protecting his children surpass in degree the corresponding obligation which is imposed upon the beasts of the field. But if the parent is bound by nature to feed and clothe the body, how much more binding upon him is that other duty, of supplying with the food of wholesome knowledge and clothing with the shining garments of virtue the mind of his child? that immortal mind which shall live on when the last pulsation of animal life shall have ebbed away, and when the blazing sun shall have been blotted from the firmament; that mind whose father is God, whose home is heaven, and the measure of whose existence is eternity. The voice of revelation, no less than the voice of nature, proclaims it the duty of the parent to educate the children.

"Children, hear the judgment of your father:" Ecclesiastes, chap. III, verse 2. The command does not read, "Children, hear ye the judgment of the President," nor "the judgment of Congress," nor "the judgment of the Legislature," nor even "the judgment of the San Francisco Board of Education," but the injunction is: "Children, hear the judgment of your father."

Thus it is clear, both from the voice of nature and of revelation, that to the parent belongs the right and the duty of educating his children; and we insist, as a necessary consequence, that since to the parent alone belongs that right and that duty, he alone can justly delegate that right and duty to another; for it certainly requires no argument to prove that neither an individual nor a body politic can delegate a right or an authority which that individual or that body politic does not possess. Not only do we hold that it belongs as a right to the parent to say who shall be substituted for himself as the teacher of his child, but we maintain that this is an *inalienable* right—a right so identified with his very nature, that he can no more divest himself of it than he can divest himself of his personal identity. We contend, further, as a consequence, that it is to the parents that the teacher should be held responsible for the manner in which he discharges this important trust; for the moment the teacher ceases to stand responsible to the parent, that moment does the parent lose the control over the education of his child. And, where, let us inquire, can the power to control the child's education be so safely lodged as in the hands of the parent? Whose happiness or misery depends so much upon the good or bad training of a child, as the happiness or misery of the parent? If by the negligence, or it may be through the profligacy, of the teacher a lovely daughter is to be dishonored, despoiled of her virtue, and ruined for time and eternity, upon whose head will the blighting curse of her disgrace fall with such crushing weight as upon the head of a heart-broken parent?

We would appeal to you who are the head of a family to think for one moment of the miserable profligate who stands at the street corners, gazing with lustful eyes upon your young and spotless daughter as she glides along the busy thoroughfare, perhaps to school, perhaps to church. He is exhausting his fiendish ingenuity in devising ways and means whereby to ensnare and ruin your child; to rob her of her innocence; to deprive her of that which makes her a fit companion for angels, and without which she would sink below the level of the brute.

Having duly considered this spectacle—which is not a mere imaginary one—then ask yourself the question: Is it possible that this degraded wretch, this fiend in human shape, whose very breath breeds moral pestilence, and from whose contem-

inating touch the very swine would recoil with loathing and disgust: Is it possible that this monster of debauchery, who seeks his happiness in the ruin of my child, is entitled by law to share equally with me, her father, in determining who shall be her teacher, and the guardian of her virtue? Yes, good reader, startling as it may appear, it is even so. Under our boasted common school system as it is by law established, the most intelligent and virtuous father in the city of San Francisco, or elsewhere in the State of California, has no more voice in selecting a teacher for his child, than has the most abandoned debauchee, whose polluting presence would contaminate even the lowest class brothel.

But suppose the father dead; in that case, this already monstrous picture assumes still more frightful features; for the surviving mother, who, by every law of God and humanity, stands as the sole guardian of her child, is denied even an indirect voice in selecting for that child a teacher. Every gambler and drunkard, every chain-gang convict, and every profligate in the land, is deemed by law perfectly competent to the task of selecting for *her* daughter a suitable instructor, while the mother has nothing to do but pay her taxes, and humbly abide by their decision.

True, it was the mother who brought that child into existence, and who has shielded her from a thousand perils during the period of tender infancy; true, it was she who, when all the world besides were taking their accustomed sleep, watched with tearful eyes by the sick couch of that infant daughter; true, it was she who has toiled and still toils, by day and by night, in order to supply that daughter with food and raiment; true, if that daughter, whom she adores, and upon whom are centered all her hopes and fears for earthly happiness or misery, should, through the agency or neglect of a bad teacher, lose her innocence and be brought to shame, it is *she* who would reel beneath the terrible blow, it is her heart that would break with grief, and upon her head would a cold and unfeeling world cast the blame; and yet that mother, who must suffer the whole penalty, not only stands guiltless, but is even denied the means of preventing the crime. Yes, the mother must remain silent, while the would-be seducer has a voice, and it may be, the casting voice, in selecting for her daughter a teacher.

And, horror of horrors! it is not to the mother, but to this

infamous libertine, who is plotting the ruin of her child, that the teacher must in part, at least, stand responsible for the manner in which he discharges his duty toward that child.*

**Occidental*, October 29, 1864.

CHAPTER VIII.

THE BIBLE IN THE COMMON SCHOOLS.

The following extract is from the *American Flag* of the 19th of November, 1864, beginning with this caption:

“The Jewish ‘Gleaner’ on Reading the Scriptures in our Public Schools.”

“The Board of Education, at its last sitting, determined, by an amendment of the manual which rules the department of public instruction, that henceforth, in all of our schools, the American and purely Christian custom of reading the Bible in them shall be observed. This custom, for some peculiar and evidently potent reason, has been neglected in this city, but recent and terrible developments of vice and crime in the schools and the full knowledge of every one connected with them that the most rigid discipline, unaccompanied by the sanctions of religion, did not serve to check the prevalence of immoral practices, demonstrated and urged the absolute necessity for introducing the reading of that common book of all Christian nations and societies—the Bible. In doing so, the Board of Education has acted upon the authority of all experience—that mere intellectual culture forms but a weak barrier against the attacks of vice upon the human heart, and nothing receives the blessing of God which abjures the authority of his law and abandons the light and guidance of Christian teachings and example. Our people no longer prefer that no attention shall be paid in the public schools to those things which they consider to be the chief supports of our American social system, as they are the foundations of every enlightened and Christian institution in the world; and therefore, through their representatives, the members of the Board of Education, they have announced their desire to have the Bible read and studied in our schools. No good citizen finds himself in a condition to oppose this, but it by no means follows that it receives no opposition. The *Gleaner* of yesterday publishes what is not only new but insulting. It says that it is a dangerous enterprise to read the Scriptures in an American school. What the danger is does not clearly appear; possibly precedents drawn from the life and experience of Christ would reveal it, and we cannot expect that the lineal descendant of men who crucified him will hesitate now to denounce, and, if possible, proscribe his religion.”

With us it is a fundamental maxim that no parent, whether Catholic, Protestant, Jew or Pagan, should be required to sustain by his money a system of education which he cannot, without a violation of his conscience, permit his children to enjoy.

This principle seems so clearly just that it is difficult to understand how any one, not blinded by the most intolerant bigotry, can object to its enforcement. How, then, does the above amendment to the school manual square with this principle.

It is not our present purpose to discuss the question as to whether the Bible is or is not a proper book for the religious instruction of children. What we contend for is, that it does not belong to the board of education, but to the parents of each individual child, aided by the best lights within his reach, to determine that question, so far as his own children are concerned. In other words, we do not object to the teaching of the Bible to children, but we do object to the teaching of the Bible to children against the will of their parents. Is it not plain that the very same principle which would justify the board of education in forcing the child of unwilling parents to study the Bible would also justify that board in forcing the same child to study the Connecticut blue laws? The exercise of such a power by any political body we can but regard as a most startling encroachment upon the rights of conscience. We maintain that it is as much a violation of the liberty of conscience to compel a citizen, against his will, to embrace Christianity, as it would be to compel him to embrace Judaism or Paganism, and if a board of education, to-day, composed, it may be, of self-righteous puritans, may require the Bible to be taught in the schools to the children of unwilling parents, may not another board, to-morrow, made up of professed infidels, require the teaching of Thomas Paine's "Age of Reason" in the very same schools.

But suppose that all the parents in the city should yield a general consent to have the Bible taught in the schools, there would then arise another difficulty no less momentous than the first, namely, the difficulty of determining as to what is the Bible. The Christians have a Bible, the Jews a Bible, and the Mormons a Bible. The Christians take as their Bible the books of the Old and the New Testament, while the Jews reject the New Testament but accept the Old for their Bible. Now as to whether the Christians are right in believing the New Testament to be of divine origin, or whether the Jews are right in believing that it is not, is purely a theological question; a question which not even the legislature of the State of California, in all the profundity of its wisdom and the plenitude of

its power has any authority whatever to determine. But if the legislature itself has no authority to determine this question and to compel the Jews to accept the New Testament as the inspired word, how in heaven's name could it clothe the board of education with any such authority? The only thing which either the State or city has a right to demand of Jews or Christians, is that they act the part of good citizens; hence, the whole question when stripped of all disguise resolves itself into this simple proposition, namely: "Can a professor of the Jewish religion be a good and faithful citizen?" If he can, then why undertake the impossible task of forcing upon him an abandonment of his faith? But if, on the other hand, it is impossible for a Jew to be a good citizen, then why not at once, like men, proclaim it to the world that for Jews, at least, there is no longer either civil or religious liberty in our country? Why entice these people to our shores with false and delusive promises which we do not intend to fulfill? Why mock them with the idea of religious liberty while compelling them to teach their children that their own creed is false, and that the practice of it is a crime against the laws of God and man? We maintain that the civil authorities have no more right to force a Jewish parent to teach or pay for teaching his children the Christian religion than they have to force a Christian parent to pay for teaching his the doctrine of Judaism. Suppose that at some future time a majority of the board of education should chance to consist of Jewish citizens—for under our constitution a Jew has the same right to sit upon that board as a Christian—and suppose that this board thus constituted should, in precisely the same narrow-minded and intolerant spirit which seems to actuate the present board, undertake to force upon the children of Christian parents Jewish books and Jewish doctrines, what would Christians say of such an assumption of power?

Would they be willing to pay for teaching their children that he whom they believe to be the Messiah, the Lord and maker of heaven and earth, was after all only an impostor? If any calling themselves Christians are base enough to answer this question in the affirmative, then to such we would say, go do unto Jews as you would have Jews do unto you; but of such as claim the right to control the religious education of their own children, we would inquire upon what principle of justice or

Christianity they can deny to the Jews the same right and privilege which they claim for themselves? Let us suppose, however, that the Jews were out of the question, would all Christian denominations be enabled to agree as to what is the Bible? We answer by no means. We have for example the Douay translation of the Bible, Martin Luther's translation, King James's translation, and we believe several other translations, no two of which agree even in all essential particulars. Now, which of these translations of the Bible do the board of education propose to force upon the schools? For if they are resolved to have the Bible taught in the schools, it will certainly devolve upon them to ascertain what is the Bible. We undertake to say, and we would be willing to stake our earthly existence upon the truth of the proposition, that no one translation of the Bible can be found in the city of San Francisco that would not be condemned by every respectable authorized minister of some one or more of the different Christian denominations. Now, we are a little curious to know, which of these different denominations of Christians are to be ostracised from the schools, by having a book introduced and taught there as the Bible which they do not believe to be the Bible. We should be pleased to know also what are the qualifications of the different members of this honorable board for ascertaining which amongst all the conflicting translations of the Bible is the correct one. Have they ever studied, and are they familiar, not only with the Latin and Greek, but also with the Hebrew, the original languages of the scriptures? Have they ever compared, or do they ever expect to compare a single one of these translations with the original scripture? If they have not, what consummate presumption, not to say downright impudence, will it not be in them to undertake to settle a question of translation from the Hebrew or Greek language about which some of the greatest linguists of this or any other age have honestly differed? If, as we are very much inclined to suspect is the fact, not a single member of that august body, known as the board of education, has ever learned the Hebrew alphabet, how much better qualified are they for passing upon the merits of an English translation from an ancient Hebrew manuscript than would be a similar number of newly imported babboons from the coast of Africa?

But suppose that all the different denominations of Chris-

tians had once agreed upon a particular translation of the Bible as the true one, still, we should not be able to find any two denominations interpreting the Bible in the same way; and for all practical purposes, you might just as well have the wrong Bible as to have the right Bible wrongfully interpreted. Does any one suppose that the Episcopalian and the Presbyterian, the Catholic and the Unitarian, or even the Methodist North and the Methodist South would be willing to have their children taught to interpret the Bible in the same way? No one is so stupid as to venture the ridiculous assertion, hence it would follow, as a necessary consequence, that of all the pupils attending a given school, only the children of one denomination of Christians would enjoy the advantage of learning the Bible as understood by their parents, while all the other pupils of such school would be required to interpret the Bible in a manner obnoxious to the consciences of their parents.

If the civil authorities may, through the board of education or otherwise, determine as between the different religious denominations, which has the correct version of the Bible, and also which particular denomination interprets the Bible aright, and if they may require all other denominations of Christians, as well as Jews and non-religionists, to pay for teaching their children to embrace that particular interpretation of such Bible, what is there wanting, we would inquire, to perfect such a union of Church and State, as would render the former a slave to the latter, and work the complete overthrow of everything in the shape of religious liberty.*

**Occidental*, November 26, 1864.

CHAPTER IX.

HORRORS OF OUR ANTI-PARENTAL PUBLIC SCHOOL SYSTEM AS EXEMPLIFIED IN A SAN FRANCISCO SCHOOL-ROOM.

Let those who doubt the worse than barbarous cruelty of a system of education which snatches from parents the right of selecting the schools for their own children and transfers it to the public at large, read the following extract from the columns of the *American Flag* of Saturday, April 28, 1866, touching the condition of the primary schools in this city. The article reads as follows:

“SCHOOL AND SCHOOL HOUSES.—For several days a committee from the Board of Supervisors, in company with members of the grand jury, and others interested in school matters, have been visiting all the schools, for the purpose of ascertaining their wants and comforts, and devising a plan for their immediate relief. The primary schools are filled to overflowing, and summary action is necessary on the part of those who have interested themselves in their behalf. In several localities, it seemed as though it were impossible to crowd so many children. In a building on Tehama street, in a room twelve feet in width and twenty in length, from sixty to eighty little boys and girls were packed, with scarcely any ventilation, and no yard to play in; others are in the same condition. In a little cottage on Silver street, children occupy the steps of a winding staircase for seats; from forty to fifty take up with such accommodation. Old corner groceries are rented at about twenty dollars per month, and filled with little scholars. Several of the respectable school buildings are badly located and should be removed. The one on the corner of Fourth and Clara streets is joined to a blacksmith-shop and a long row of stables; the smoke from the shop fills the house, and the odor from the barn-yard is very offensive. It is proposed to sell the house and lot, remodel the Rincon building, and transfer the school there. The location and accommodations of the Eighth street school are abominable. Dr. Rowell says the place is unfit for any one to live in, let alone sending children there and keeping them cooped up all day. A general renovation of the primary schools will take place soon; the report of the committee will be published in a few days.”

There, good reader, you have a life-drawn picture of the legitimate and natural workings of a system of education, which, in the very constitution of its organism as now framed, bids defiance to the fundamental laws of nature. Why is it, that in one room, twelve feet in width and twenty in length,

from sixty to eighty little boys and girls are packed, with scarcely any ventilation and no yard to play in? The answer is plain; they who did this thing had not for those children a parent's love. Why is it, that some forty or fifty children belonging to one school, can find no better accommodations for seats than the dirty steps of a winding stairs; and why is it that in another locality your little boys and girls, besides being stifled with smoke, were compelled to drink in along with the pure waters of science the foul and poisonous exudations of a dung-yard? Again the answer suggests itself; they who provided such accommodations for these, your children, loved them not with a parent's love. It will not do to say that the board of education had no means at their command with which to provide any better accommodations. For many years past they had expended largely over \$300,000 per annum upon the public schools of the city. How long has it been since they erected one of the grandest educational edifices in America, the Lincoln school-house, at the cost of over \$100,000, finishing it off and furnishing it in the most superb and magnificent style? Why did they not take some of this money invested in this monument to their own vanity, and employ it in building comfortable and healthy school-houses for the use of those dear little ones, instead of leaving them to be packed in corner groceries, or doomed to inhale the smoke of a blacksmith's forge, mingled with the intolerable stench of surrounding stables? Once more the answer is: they who did this thing loved not those children with a parent's love, nor did they stand amenable to those who did.

If the teacher or proprietor of each school were required to furnish his own buildings and other school accommodations, and were to be paid out of the common school fund, a sum proportionate to the number of his pupils, leaving each and every parent to select the school for his own children, does any one suppose that in the entire city of San Francisco a single pupil would be required to use stair-steps for seats, or that eighty children would be crowded into one small room twelve by twenty feet in size, without ventilation or play-ground; or does any one suppose that a teacher whose pay depended upon the number of his pupils, and whose pupils depended upon the will of their parents, would ever select for his school-house a

building with a blacksmith-shop on one side and a stable on the other?

If there is a single private school in this city or State of any kind or character, where the pupils are provided with such miserable accommodations as those referred to above, the fact has never yet come to our notice. Even the inventive genius of our honorable State superintendent of public instruction, it seems, has never succeeded in finding it out; yet not one of these schools receives a farthing from the public fund. The cause of this difference is easily explained. In the one case both the school-house and the teacher are selected by the parent, while in the other they are selected by a board of politicians.*

**Occidental*, May 5, 1866.

CHAPTER X.

UNPARALLELED BARBARITY TOWARD PUBLIC SCHOOL CHILDREN CONTINUED—WHAT THE GRAND JURYMEN SAID ON THE SUBJECT.

The following extract from the report of the committee of grand jurymen appointed to visit the public schools of San Francisco, is from the *Alta California* of Monday, May 7, 1866:

“Mr. Foreman and Gentlemen of the Grand Jury—Gentlemen: Your committee appointed to visit the public schools, have faithfully discharged their duty, and report as follows:

“We found the whole number of public schools, exclusive of evening schools, to be forty-seven. Whole number of children attending same, between 10,000 and 11,000. Whole number of teachers, 210. These schools are divided into the following departments: One Boys’ High School; one Girls’ High School; one Classical or Latin School; seven Grammar Schools; thirty-seven Primary Schools. We found 118 primary classes, in which there were 3,200 pupils, occupying rented buildings at a monthly expense to the city of \$1,200; said buildings thus rented at so great expense are mostly abandoned corner groceries, uninhabitable dwellings, or damp and dark basements, utterly unfit for school purposes. At the corner of Broadway and Montgomery streets, we found 450 children absolutely stowed, one upon the other, in a building into which not sufficient ventilation and light are admitted to sustain even life, and this is but a fair sample of what we witnessed on Tehama, Third, Silver, Stockton, Post, and Eighth streets. The Greenwich School, owned by the city, we found far below the grade, and the lower portion unfit for use, and should be abandoned at the earliest possible moment.

“In passing from the illy provided primary department, we take pleasure in saying that we found the grammar schools pleasant and convenient, some of which would reflect credit upon any city or country. We spent some time in visiting the Lincoln and Denman schools, about which so much has been said during the past year, and although they may be expensive structures, yet we feel assured that no intelligent citizen who shall visit those institutions will ever regret that they have been erected, proud monuments to our youthful and intelligent city.”

“Notwithstanding the poor accommodations provided for many of the under schools, we take great pleasure in reporting that we found them taught by able and devoted teachers (many of them graduates of our girls’ high schools), the scholars making good progress in their studies, under good discipline and as happy and contented as could be expected under the cir-

cumstances. The organization and instruction of the grammar and high schools far exceed our expectations, and we think they will compare favorably with any institutions in the oldest cities of the East. * * * All of which is respectfully submitted.

“L. W. KENNEDY, }
 “R. H. SINTON, } Committee.”
 “R. E. ROWLAND, }

If any intelligent advocate of the common school system, as by law established, can read the above report without feeling his cheek burn with shame and humiliation, we certainly do not envy him on account of his refined sensibilities. In view of the startling facts which this committee of jurymen have brought to light touching the worse than brutal treatment to which hundreds of little children attending our primary schools have been daily subjected, it is not a little surprising to see the silly efforts on the part of that committee to cover up and varnish over the horrible facts which they have no power wholly to conceal. For example, after reporting that “*at the corner of Broadway and Montgomery streets they found four hundred and fifty children absolutely stowed one upon another in a building into which not sufficient ventilation and light are admitted to sustain even life, and this is a but a fair sample of what we witnessed on Tehama, Stockton, Silver, Post and Eighth streets,*” they then add, a little further on, that they found “*the scholars making good progress in their studies, under good discipline, and as happy and contented as could be under the circumstances.*”

Now as to the “discipline” question, we have no reason to doubt the statement of the committee. When four hundred and fifty children will permit themselves to be “stowed away, one upon another, in a building into which not sufficient ventilation and light are admitted to sustain even life,” we can easily believe that their “discipline must indeed be excellent.” But how under heavens the little fellows thus situated can “*make good progress in their studies,*” is, we confess, a little too much for our feeble comprehension, and far too much for our credulity. But these children, say our learned committeemen, “*are as happy and contented as could be expected under the circumstances.*” Here, again, we feel very much disposed to concur in the sage conclusion arrived at by our committee. No doubt the very bottom tier of these piled-up little urchins, as they turn and twist, and groan and sweat, and gasp for breath, are as con-

tented and happy as could be expected under the circumstances; but then only think of the circumstances.

We should like for our sagacious committee to tell us how much happiness and contentment could be expected amongst four hundred and fifty children packed, jammed and crammed away, one on top of another, in a dark unventilated house, without sufficient light and air to support life.

This portion of the committee's report reminds us very much of the man who had a regular fury of a wife. He said she was a very good wife of the sort, but then, said he: "D—n such a sort." So, we doubt not, those little boys and girls referred to by the committee, if consulted, would themselves tell us that they were as happy and contented as could be expected under the *circumstances*, but then we very much fear, even were they not to say it, that they would at least think: "*D—n such circumstances.*"

Where children are packed away as described by our learned committee, it becomes an interesting subject of inquiry as to the relative amount of happiness enjoyed by the different strata of juveniles, as they lie piled one tier above another. We should like to know before sending a child of ours to this model institution, whether it were better to have him packed away in the bottom layer, the middle layer, or the top layer; and all that, of course, ought to be determined in view of the comparative amount of happiness to be enjoyed in these various positions. But after all, why need we, the parents, trouble our minds about the matter. Has not our learned, honorable and veracious State Superintendent of public instruction proved clearly in his last biennial report, by a reference to numerous judicial decisions, that parents have no right to dictate to the teachers; that under our glorious common school system the teacher is not the agent of the parent, nor in any way responsible to him for the manner in which he discharges his duty toward the pupil, and that the parent has no remedy as against either teacher or school trustees? Then where is the use of parents troubling themselves about the existence of a state of things which they have no power to change?

This, no doubt, is the course of reasoning adopted by those parents (if they ever do reason) who are daily permitting their own dear little children to be subjected to a course of barbarous and inhuman treatment such as no Southern master ever

dreamed of imposing upon even the most refractory of his slaves.

If it could be proved that, during the late war, 450 United States soldiers, while lying as prisoners in the hands of their Confederate captors, had, by the order of Jefferson Davis, been stowed, one upon the other, in a building into which not sufficient ventilation and light were admitted to sustain even life, does any one doubt that the whole radical press, from the *New York Tribune* down to the *Sacramento Union*, would be found howling for the blood of the ex-President of the ex-Confederacy, on account of such cruelty. Aye, would they not claim that even the forfeit of his life would afford but a very feeble and inadequate atonement for such barbarous and unheard-of cruelty?

And should it turn out that the victims of such monstrous barbarity were negro prisoners, some of these pious souls would, most likely, go into spasms or burst a blood-vessel in the very exuberance of their sanctimonious rage.

And yet this very class of zealots, with a most remarkable sort of consistency, will stand quietly by and permit thousands of their own children to be subjected to a course of treatment looked upon as inhumanly barbarous when practiced by one enemy toward another in time of war. And this, forsooth, is what they call *education*. Yes, a most glorious and perfect system of education; to attack which, in the language of a certain up-country California judge, "is evidence of either a knave, a fool or a bigot," and the upholding of which is, as a matter of course, proof positive of a sage, a philosopher and a Christian.

There are other features of this report upon which we design in future to comment.*

**Occidental*, May 19th, 1866.

CHAPTER XI.

REPORT OF COMMITTEE ON PUBLIC SCHOOL HORRORS CONTINUED—
PROUD MONUMENTS TO OUR YOUTHFUL AND INTELLIGENT CITY.

The committee of jurymen, whose report touching the condition of the San Francisco public schools has already been partially reviewed, after depicting in strong terms the revolting condition in which they found the primary schools, and after stating that they found the children in certain localities stowed one on top of another, without sufficient light and air to sustain life, then proceed to compliment the grammar schools thus:

“In passing from the illy-provided primary department, we take pleasure in saying that we found the grammar schools pleasant and convenient; some of which would reflect great credit upon any city or country. We spent some time in visiting the Lincoln and Denman schools, about which so much has been said during the past year; and although they may be expensive structures, yet we feel assured that no intelligent citizen who shall visit these institutions will ever regret that they have been erected—*proud monuments to our youthful and intelligent city.*”

Now, why this difference between the accommodations of the primary and of the grammar schools? Why were the pupils of the former crowded, as the jurymen say, “into abandoned corner groceries and uninhabitable dwellings, or dark and damp basements, utterly unfit for school purposes,” while those attending the grammar schools were so pleasantly and conveniently situated, occupying magnificent edifices “that would reflect credit upon any city or country?” Does not the school fund of this city belong just as much to the pupils of the primary as to those of the grammar schools? Are not the former just as much entitled to a warm, comfortable house, to fresh, pure air and to an abundance of light as are those of the latter? And do not these young and tender plants stand in as much need of protection from heat and cold, and from a damp, foul, and poisonous atmosphere as do their older and more hardy brothers? If the little boy or girl of six or eight years old does not require and is not justly entitled to even more protection than the youth of maturer years, then has the whole order of juvenile nature been reversed since the introduction of our glorious common school system.

What would be said of the unnatural father, who would rob his young child of the indispensable necessities of life; clothe him in rags; feed him upon rotten and unhealthy food, and quarter him in a pig-sty, at the utter sacrifice of all comfort and the hazard of health and life, to the end that another child, more advanced in years, might live in a marble palace, adorned with purple and gold, drinking the most costly wines, and feasting upon the fat of the land? To say that such a father would be a brute, would be to pay him a most unmerited compliment, since no brute was ever known so outrageously to violate the law of parental duty.

Yet such a monstrous discrimination, in favor of one child and against another, would not be more cruel and unjust than that which is daily practiced in San Francisco, in favor of the pupils of the grammar, and against those of the primary schools. Whilst on the one hand, the former are quartered in splendid palaces, richly, and even extravagantly furnished, supplied with an abundance of light, and pure, fresh and invigorating air, lacking nothing which can either contribute to their bodily comfort or pander to their pride; the latter, on the contrary, are doomed to inhale the foul and infected air of dark, damp and dreary basements, far better suited for the habitation of slimy snakes and toads, that feed upon dungeon vapors, than for the home of those bright, beautiful and lovely little girls and boys; those almost angelic intelligences, destined for heaven, and made to the image of God.

Perhaps, though, we shall be told, that this unjust discrimination in favor of one class of public schools and against another, is not the work of the parents, but of the officers of the school department, who alone, under our law, have control of the subject. We answer, that this is the very truth which we are most anxious to impress upon the minds of the people. The reason why the youth of our country are speeding their way to ruin physically, mentally and morally, with almost lightning velocity is, that they have been deprived of parental care, and turned over into the custody of the pitiless, heartless and soulless body politic. They have been surrendered into the hands of vain, proud and unscrupulous men, who hesitate not to rob them of shelter, rob them of air, and rob them of Heaven's blessed light, to the utter destruction of all comfort, and the loss of all health, periling, and even sacrificing life itself; and

when these self-sufficient hypocrites have, with their blood-money, erected their lordly palaces—their Lincoln and their Denman school-houses — they, or their apologists, complacently turn to the fathers and mothers of their wronged and murdered primary school victims, and ask them to behold the “*proud monuments of our youthful and intelligent city.*”*

**Occidental*, June 4, 1866.

CHAPTER XII.

THE "CALIFORNIA LEADER" ON OUR STATE SCHOOL SYSTEM.

Under the above head, the *California Leader*, a respectable weekly published in San Francisco city, in its issue of June 2, 1866, made some strictures touching our position on the school question, which we deemed it our duty to notice. Among other things the *Leader* said:

"There are those who earnestly and bitterly condemn the entire educational plan enforced by law in California; they object to the fundamental principle of a State system of education; they contend that parents are the natural guardians and directors of the education of their own sons and daughters, and are responsible to God and society for their right or wrong training, and that the intervention of the State in this matter is an intrusion into a foreign jurisdiction, a stepping out of its proper sphere, and a trespass upon the heaven-ordained rights and duties of the parental office. At first glance, this position has a plausible show of seeming right in its favor, and it is not to be wondered at that such men as Zach. Montgomery, and such papers as the *Occidental* and *Vanguard*, should obtain the inconsiderate sympathy of the parental heart, by dexterously appealing to its instinctive impulses, rather than to the higher human reason that can only decide upon what is truly right and best, after a very careful consideration of the whole subject-matter."

We replied as follows:

As regards our supposed opposition to a "State system of education," or our condemnation of the "entire educational plan enforced by law in California," the allegation is only true to this extent, namely: we are opposed to that feature of our State system of education which leaves the parent no alternative but either to forfeit to the State all the taxes which he pays for educational purposes, and then educate his children entirely at his own expense, or else send them to a school where he believes in his heart that neither health, life, nor morals, will be protected. As we have repeatedly said, we are not opposed to the State's aiding the parent in the great work of education when necessary, *provided only that the latter can be left free to choose his own school, and to exercise that paramount care, control and guardianship over his child, which the laws of nature and nature's God positively require him to exercise.*

"At first glance," says our friend of the *Leader*, "this position has a plausible show of seeming right in its favor, and it is not to be wondered at that such men as Zach. Montgomery, and such papers as the *Occidental* and *Vanguard*, should obtain the inconsiderate sympathy of the parental heart, by dexterously appealing to its instinctive impulses rather than to the higher human reason," etc.

Now will the *Leader* inform us who it was that implanted in the parental heart these instinctive impulses to which we are accused of appealing? Do they owe their origin to a good or an evil source? Were they given for a good or a bad purpose? Does not this "higher human reason," of which the *Leader* speaks, and these "instinctive impulses" both owe their origin to one and the same author; and is not that author the God of all truth; and can the God of truth teach one doctrine by the voice of these instinctive impulses which He has implanted in the human heart, and at the same time inculcate a contrary doctrine through the instrumentality of this higher reason of which we are told?

Let the *Leader* speak out upon these questions, and tell us, seriously, is there a conflict between the voice of reason and the voice of parental affection? Does this higher reason which is invoked inculcate the blasphemous doctrine that the Deity committed a grand mistake in assigning children to the custody of those who love them with a parent's love, and whose destiny for weal or woe is so intimately interwoven with theirs?

These are questions worthy of your most serious consideration, *Mr. Leader*, and we trust that you will not neglect to give them your attention.

The *Leader* takes the ground that if we believe our present educational system so pregnant with all the evils which we charge upon it, we ought to advocate its entire destruction, for the reason that any reformation in so corrupt an institution as we represent it to be is utterly out of the question. Our contemporary is doubtless aware of the historical fact that before the Christian era there were erected throughout the pagan world many magnificent and costly structures for purposes of heathen worship, which are now the recognized temples of the living God. The idolatrous Romans, for example, built their Pantheon, which they solemnly dedicated to the worship of all the false divinities of the universe, and to-day the Pantheon stands

a Christian church, named in honor of all the saints, and consecrated to the service of the one true and everlasting Divinity. So, if possible, let it be with your common school system. Whilst under the control of politicians, it has ever been a temple dedicated to all the vices—a hot-bed for disease, immorality and death. Let it be placed, then, under parental jurisdiction and control, so that it may become the sanctuary of all the virtues—a nursery for the development of physical health, mental strength and moral purity. If possible, we say, let this be done. But if it is not possible to cleanse without destroying the edifice, still we say let it be cleansed.

The following passage, which we quote from the same article above referred to, sets forth clearly the fate which the consolidationists have in store for our country, unless the sleeping masses, and particularly our criminally indifferent parents, arouse themselves from their unaccountable apathy, and strike one vigorous and determined blow for their own and their children's threatened liberties. In speaking of the authority which this State does and ought to exercise in the matter of education, the *Leader* says:

"So far from interfering too much, it does not interfere enough in the matter of education. It leaves the parents free to send their children to school or not, as they prefer, and allows them to take them out of school too soon, and to change at will from school to school. Thus the parents, and not the State, do interfere too much against the good of their own children, and against the good of the State, too. The State ought to compel all children to go to school, compel them to stay there until they are fifteen years old, and forbid parents to take them away without good cause, *to be judged of by the State under fixed rules.*"

Were these simply the sentiments of a single newspaper editor, there would be nothing alarming in them; but unfortunately they are the sentiments of the great body of those who justify the present common school system. In the District of Columbia, these sentiments have already assumed the authority of positive law, in the shape of an Act of Congress, the violation of which subjects the offender to prosecution and punishment as a criminal. More than twelve months ago, the Sacramento, superintendent of public instruction, in a printed report, recommended "that we throw open wide the doors of our public schools, and *compel* the children to enter." The State

Superintendent, in his official organ, echoed the same sentiment, and to-day every consolidationist in the land stands ready to give it his indorsement. We now appeal to the parents of California, and particularly to the fathers and mothers of San Francisco, and would to God that we could appeal in such thunder-tones as would shake a continent, and ask: Are you prepared to surrender the authority which God has given you over your own children? Are you content to be the mere breeders for the State, leaving it to a corrupt corporation to shape the temporal and eternal destinies of those little ones whom an Almighty providence has intrusted to your care? If you are willing that the State shall dictate to you where, how and by whom your children shall be instructed until they are fifteen years of age, then we are curious to know of what use is the parental office? Why not abolish the whole matrimonial system, and substitute free-loveism at once? Indeed, it is a fact well worthy the serious consideration of the philosopher and the statesman, no less than of the moralist, that just in proportion as the influence of this anti-parental system of education is felt, in a similar proportion are the sanctity and binding force of the matrimonial bond weakened and destroyed.*

**Occidental*, June 11, 1866.

CHAPTER XIII.

THE LEADER AND THE COMMON SCHOOLS AGAIN.

In its issue of the sixteenth of June, 1866, the *California Leader* replied to our views as expressed in the foregoing article, as follows:

"The *Occidental and Vanguard* devotes more than a column of the last issue to a criticism of our views concerning the educational system of California. This journal seems to us, however, to have overlooked the main point and gist of the argument. It asks if there is a conflict between the voice of reason and the voice of parental affection? We answer, there need be no conflict between parental love and parental judgment in the education of children. A wise parent, whatever may be his religious faith or his code of morals, can safely send his children to our public schools. Why? Because the moral and religious training of the youth is not interfered with by our teachers, but is left to the care of the parent at home. We beg leave again to call Mr. Montgomery's attention to the following language in our previous article. After showing that the majority of parents neglect to instruct their own children in school learning, thus necessitating the friendly intervention of the State in their behalf, we came to the essential and vital point of the question and said: The parent may train his child morally and religiously just as he chooses. State education does not interfere in the slightest degree with this duty, nor with the right of the parent to do it. The business of the State in education is to rear up its youth to become intelligent and good citizens. This it has a right, and this it is its duty to do; but it is not its province nor its wish, nor does it undertake, in fact, to interfere with the moral instruction and religious education of the various households whence come the pupils that fill its schools."

To the above we replied:

The pith and substance of the *Leader's* position, if we understand it, and we think we do, seems to be embodied in two sentences above quoted, where he says: "*A wise parent, whatever may be his religious faith or his code of morals, can safely send his children to our common schools. Why? Because the moral and religious training of the youth is not interfered with by our teachers, but is left to the care of the parent at home.*"

Let us now consider one of these propositions at a time. First then, is it true, as the *Leader* asserts, that a wise parent—by which, it is presumable, he means every wise parent—can safely send his children to our public schools? It is a fact

which we presume the *Leader* will not deny that there are in this very city many thousands of children whose parents are educating them at private institutions and paying for their tuition out of their own money rather than have them educated at the public expense, for the very reason that they do not believe with the *Leader* that they can safely send them to our public schools.

Now, to say the least of it, it certainly argues a superabundant amount of modesty in our friend of the *Leader* to assume that none of those parents are *wise* simply because they happen to differ with his leadership as to the propriety of sending their children to the public schools. Waiving all question as to the modesty of the thing, however, we shall come directly to the logical part of the *Leader's* position. The reason that he assigns why a "wise parent can safely send his children to our public schools" is this—mark his words: "*Because,*" says he, "*the moral and religious training of the youth is not interfered with by our teachers, but is left to the care of the parent at home.*" We apprehend that in making this statement, the *Leader* simply means to say just what the statute says, when it declares (section 60 of the school law) that "No books, tracts, papers, catechisms, or other publications of a sectarian or denominational character shall be used or distributed in any school, or shall be made a part of any school-library; neither shall any sectarian or denominational doctrine be taught therein."

Now, while we unhesitatingly assert, and stand ready at all times to make good our assertion, that the above statute is daily set at defiance by many of those whose duty it is to enforce it, we shall, nevertheless, treat this subject, for the time being at least, just as though this law never had been and never could be violated.

Suppose, then, we take it as a fixed fact that in none of the public schools are any books, tracts or papers of a sectarian or denominational character ever allowed to be used, and that no sectarian or denominational doctrines are permitted to be taught therein—does it necessarily follow, in consequence of such exclusion, that every wise parent can safely send his children to our public schools? Is it possible that the *only* danger from which it is necessary to shield the young mind, is the direful influence of religious and denominational teachings? Is there no

profanity, no deceit, no dishonesty, no obscenity, no downright atheistical infidelity, against which you would have the parent protect his child? Why, sir, according to your very remarkable system of logic, there is not a den of iniquity in San Francisco, whether it be a tippling shop, a gambling hell, or a Chinese bawdy house, where the parent cannot safely send his child, because, to adopt your own mode of reasoning, there is not one of these vile sinks of infamy, whose abandoned and crime-steeped inmates would ever think of troubling him with sectarian or denominational teachings. They, too, would leave all that "to the care of the parents at home."

It is quite evident that our friend of the *Leader*, as some others have done, has fallen into the mistake of supposing that we were fighting the present common school system from a sectarian instead of a philosophical and parental standpoint; that we were pleading exclusively the cause of some particular religious denomination, and not the great cause of humanity everywhere. The principle upon which we base our opposition to this system is one that is limited neither by creeds, climes nor countries; it is, or ought to be, equally dear to the Christian, the Jew and the Mahometan. So all-pervading in its character, and so plainly written upon the heart of every living creature is this principle, that beasts, birds and bats read, understand and obey it. Even the very fishes that dwell in the profoundest depths of the ocean recognize it as their paramount law, and hearken to its behests with unflinching fidelity. It is a principle coeval with omnipotence, boundless as the universe, and as everlasting as eternity. We refer, of course, to the principle by us so often insisted upon in connection with this educational question, namely: parental love, which carries with it the corresponding duty of parental guardianship and protection. We maintain, as a rule, that it is the duty of parents—not the parents of this creed, of that creed or the other creed, but the parents of all creeds, professions and callings—to protect the health, the life, the honor and the morals of their children; and to this end we hold it to be obligatory upon the parents of each and every child, aided by all the lights within his reach, to determine for himself, without the authoritative interposition of city, county, State or Federal officials, whether or not a particular teacher is fit or unfit to have charge of his child.

We know not how others may view this subject, but for our-

selves, until we can discover some hitherto unknown process whereby we may infuse into the breasts of our neighbors that love and affection for our children which we ourselves entertain for them, and until those neighbors can learn to perform the impossible task of feeling that their happiness is as intimately connected as our own with the proper education and future welfare of our children, we can *never* consent to allow those neighbors, even though they be our brothers in blood, in politics and in religion, to divide with us the fearful, the awful responsibility of choosing for these children the persons who are to take charge of their education, and to shape for them both their temporal and everlasting destinies.

In order, if possible, to put a final quietus upon the groundless charge of sectarianism, so often preferred against us, we here repeat what we have asserted over and over again, namely: that if every man, woman and child in the United States belonged to one religion, we should still insist upon exactly the same change in our common school system for which we are now struggling, and that for the simple reason that religion itself does not enable one man to love the children of another with the same warm, zealous and devoted affection which he spontaneously lavishes upon his own; neither does it enable him to know the wants, dispositions and capacities of his neighbor's children, whom, perhaps, he never saw, as well as he ought to know the wants, dispositions and capacities of his own. Nor does it enable him to know, as well as their own fathers and mothers know, what progress his neighbor's children are making, either upon the upward and difficult path of knowledge and virtue, or upon the downward and easy road of idleness and immorality.

If, as we maintain, our objection to the present educational system would hold good, were all the voters in the land upright, high-minded and virtuous citizens, with what ten thousand-fold power do they apply in a community like ours in San Francisco, made up of all sorts, grades and characters of people?

And now, *Mr. Leader*, before parting, we shall propound to you two or three very simple questions, to which we confidently hope that you will, at your earliest convenience, furnish us an answer. If you were the father of a young, beautiful and virtuous daughter, of a suitable age to attend school, whose honor and purity of morals you prized more than all the gold

and silver of the entire world, and if you were living in the midst of a great city, abounding in drunkards, and gamblers, and thieves, and debauchees, would you be willing for each and every one of these abandoned wretches to share equally with yourself the responsible duty of selecting the persons who were to become the keepers of her honor and the architects of her destiny? Do you really believe, *Mr. Leader*, that the incarnate fiend, who would spend his time in plotting the ruin of your child, in laying snares for her virtue, and in preparing for her a life of shame and an eternity of misery, ought thus to be allowed to step in your shoes and play the guardian to your child?

If you do not so believe, then tell us, dear *Leader*, is it not, to say the least, a little uncharitable in you to charge with a want of wisdom that father who refuses to send his child to the public school where the teacher, as you, sir, will not deny, owes no more his authority, and is no more amenable to the father of his pupil than to the would-be seducer of that pupil, for the manner in which he discharges his duties as such teacher. Come, speak out, *Mr. Leader*, the subject is becoming interesting; we want to hear you on these propositions.*

**Occidental*, June 25, 1866.

CHAPTER XIV.

THE "LEADER" AND THE COMMON SCHOOLS CONTINUED—THE "LEADER" BECOMING AVERSE TO DISCUSSION.

The *California Leader* of June 30, 1866, treated its readers to another lengthy article in the shape of a criticism upon our position on the school question. The *Leader* began by saying:

"We do not intend to be drawn into a series of educational polemics with any one." This certainly sounds very strangely, coming, as it does, from the attacking party.

You will not charge, *Mr. Leader*, that this discussion is one of our seeking, nor will you deny that it commenced by the discharge of a gun from your own battery. With what propriety, then, can you now turn round, in the heat of a discussion which you yourself have inaugurated, and say that you "do not mean to be drawn into a series of educational polemics with any one?" You must pardon the comparison, but, sir, you remind us forcibly of an individual, who, after breaking a club over an adversary's head, and then, mistrusting that he had done a very rash thing, would at once disavow all intention of getting into a fight. So far as we are concerned, while we have sought no controversy with the *Leader*, we have certainly made, and intend to make, no effort to avoid one. Not that we claim to be anything like an equal match for the distinguished editor of that journal in point of polemic talent; but of one thing we do feel fully assured, namely: that the superior strength of our cause is amply sufficient to compensate for any lack of ability on our part as one of its humble defenders.

Whilst upon this subject, we will take occasion further to add that for some reasons we feel gratified that this controversy has arisen. One reason is, that our friend of the *Leader*, while he handles his side of the question with clearness and ability, does not forget the courtesy which invariably characterizes the style of a gentleman, and no proposition is better settled than that truth is always the gainer by fair discussion. Another reason is, that we are persuaded we see signs of reformation in the views of the *Leader*, with reference to the questions involved in this discussion. For example, it has been but three weeks since you, *Mr. Leader*, announced the startling doctrine that "The State ought to compel all children to go to school; compel them to stay there until they are fifteen years old, and forbid parents

to take them away without good cause, to be judged of by the State." You further argued to prove that parents should never be permitted to "change at will from school to school." Then you were willing to allow the State not only to determine for you by whom, how long and what your child should be taught, but were willing to go so far as to leave it to the State to say whether you might take your child from one school and send it to another. Now, however, like a very sensible man which we know you are, you say: "If we had half a dozen children to be educated in this city, very probably we should send one of our daughters to the Denman public school; one of our sons to the Lincoln public school; another one to the foreign public school, to learn the modern languages; another one, perhaps, to the City College, a private school, to be taught chemistry, or geology, or natural philosophy, or the ancient languages; still another one to Laudenschlager's Commercial School, also a private school, to fit him for mercantile life. So for the remaining child we should choose some other private school, such as Huddart's Academy or the Mills Institute, for instance, where unusual pains are taken to teach drawing, or music, or painting, or some other special branch of education. Now in all this variety of schools we should simply be aiming at the highest good of our children, according to their varying capacities and the special characteristics of the different schools."

Now, this is spoken like a father, a statesman and a philosopher, and it looks to us as if the *Leader* were about to lead off in the right direction.

It was but yesterday that you would have placed every one of your six children so completely under the control of the State that you would not even have reserved to yourself the poor privilege of changing them from school to school, without the State's consent. Now, however, you are willing to exercise that responsibility which God Almighty requires you to exercise, of determining for yourself where, how and by whom each of these children shall be educated, without saying one word to the State on the subject. And what is more wonderful still, you now think it "very probable" that you would send at least three of these children to private schools, where the teachers, of course, would stand directly responsible to you, and not to the board of education, for the manner in which they might discharge their professional duties toward your children.

In the passage above quoted, you advance several very good ideas, which we are desirous of seeing so thoroughly impressed upon your mind that you will never forget them. For example, after telling us that you should probably send your six children to as many different schools, you say: "Now, in all this variety of schools we should simply be aiming at the highest good of our children according to their varying capacities, and the special characteristics of the different schools."

Thus it appears that you agree with us in the opinion that he who, in the selection of a school for a child, would, to use your own language, "aim at the highest good" of that child, ought to make his selection with some reference to the child's particular "capacity," whatever it may be. Hence it is that you are right in saying that *you* (not the school directors, but *you yourself*) would send one of your children to one school to be taught the foreign languages, another to a different school to learn mathematics, etc., for who is so likely to understand these "varying capacities" (as you express it), among children of the same parents as the parents themselves? Certainly not the board of education, who perhaps never saw either parents or children. Again, who is so deeply interested, and consequently so likely to be careful to select schools adapted to these "varying capacities," as the fathers and mothers of the pupils, whose happiness depends almost as much upon a proper selection as does the happiness of the pupils themselves? While on this branch of the subject, we must beg leave to propound to you one other question.

If you choose—as you say you probably should—to send three of your children to the public schools, and three of them to private schools, and if, in so doing, you should, as you say, "simply be aiming at the highest good of" all, "according to their varying capacities," will you have the goodness to tell us why, or upon what principle of justice, propriety, or good policy, the State should be required to pay for three of these children, while you are compelled to pay for the other three? According to your own showing, the highest good of three of these children requires that they should attend certain public schools, while the highest good of the other three requires that they should attend certain private schools.

Now, suppose that instead of being a man of wealth—as all editors are—you chanced to be afflicted with poverty; what then

would become of those three children whose "highest good" requires them, as you say yourself, to attend the three private schools to which you refer? In such a case, is it not easy to see that three of your children would be educated with a view to their "highest good," while the other three would be robbed of that privilege?

And pray tell us, how can you, without violating alike the dictates of parental affection and the plainest rules of consistency, justify the State in thus discriminating invidiously between your own children, by preparing three of these children for those avocations in life for which nature designed them, and leaving the other three wholly unprepared for those pursuits which alone are adapted to their natural capacities? Do not the school taxes which you pay belong just as much to one of your children as to another? Then how can you, without the perpetration of the grossest injustice, to say nothing of the violence done to parental affection, consent to so unequal a distribution between your own children of that money which belongs equally and alike to all.

In response to the claim which we set up in behalf of the right of each parent to choose the teacher for his own children, you say: "Now, every parent who can have a private teacher exclusively for his own family does this, and he alone."

In penning this sentence, you seem strangely enough to have entirely forgotten what you had just said above, namely: that if you had half a dozen children, you would, in regard to at least three, and in one sense we may say in regard to all of them, exercise this very right which we claim you ought to exercise, to wit: the right of choosing their teachers.

One of these children, you tell us, you would send to the City College, a private school, to be taught chemistry and geology; another to Laundenschlager's Commercial School, another private school, to be fitted for mercantile life, etc. Now, would you not in each of these cases be exercising this very right which you tell us only he does exercise "who can have a private teacher exclusively for his own family?" Does not every parent in this State who now sends his children to a private school exercise exactly this right?

Where, then, is the difficulty in allowing all schools which will conform to certain general regulations to be private schools, so far at least, as the selection of the teachers is concerned, and

yet public schools in the manner of drawing their pay? If the Lincoln School, without regard to the wishes of parents, is teaching one thousand children, and preparing them for their highest good, and your Laundenschlager's school, with the consent of parents, is teaching and preparing for their "highest good" another thousand children, is there any sufficient reason why the former school should receive more of the public school moneys than the latter? Or is there any reason why the Lincoln School, had its teachers been selected as the free choice of the parents of each of its thousand pupils, should receive less of the public moneys than when these same teachers are chosen in the present way?

These, *Mr. Leader*, are plain, simple questions, categorically asked, and we should be much pleased to have them categorically answered.

And now, dear *Leader*, before concluding, we must, even at the hazard of becoming tedious, take the liberty of recalling to your attention a question or two which we propounded to you in our issue of June 25, which you touch very gingerly, and we think we might say very evasively. The questions were these:

"If you were the father of a young, beautiful and virtuous daughter of a suitable age to attend school, whose honor and purity of morals you prized more than all the gold and silver of this entire world, and if you were living in the midst of a great city abounding in drunkards, and gamblers, and thieves, and debauchees, would you be willing for each and every one of these abandoned wretches to share equally with yourself the responsible duty of selecting the persons who were to become the keepers of her honor and the architects of her destiny; do you really believe, *Mr. Leader*, that the incarnate fiend who would spend his days and nights in plotting the ruin of your child, in laying snares for her virtue, and in preparing for her a life of shame and an eternity of misery, ought thus to be allowed to step into your shoes and play the guardian to your child?"

Now here is your answer. You say: "The objection that thieves, and drunkards, and gamblers have a voice in choosing public teachers, is answered by the fact, that they only cast their votes for the trustees, by whom alone the teachers are finally selected."

Now we ask, in all candor, is not this a simple evasion of the

question? We asked whether you were willing that thieves, pickpockets, debanchees, etc., should divide equally with yourself the responsible duty of selecting the persons who were to become the keepers of your daughter's honor and the architects of her destiny. Now who, under our present educational system, are these persons? Evidently, they are those who have the power to appoint and remove teachers; to designate the books; to provide the buildings; to prescribe the rules; to either separate or thrust together the good and the bad of both sexes, etc.; in other words, they are the school trustees. But, say you, the thieves, and drunkards, and gamblers, "*only* cast their votes for these trustees."

Ye gods, what an "*only!*" So, according to every Christian's belief, the deicides who condemned to death the Savior of the world "*only*" cast their votes in favor of his crucifixion. It is quite true that the thief, the pickpocket, and the would-be seducer of your child "*only*" cast their votes for the trustees who are to select her teacher; but is not this exactly the same authority which you yourself exercise in the premises? What else do you do, and what else does the law allow you to do toward controlling the education of your child in the public schools except simply to cast your vote for the trustees?

Now, the question is: "Are you *willing*, then, to stand with reference to your child's education not only on a par with every gambler, thief, and pickpocket in the community, but even with the vile wretch who has marked that child for the victim of his infernal and beastly appetite?"

We have many other things to say to you, dear *Leader*, with reference to your last article on the school question, but we shall leave you to chew upon this for the present, promising you at the same time that you shall hear from us again.*

**Occidental*, July 9, 1866.

CHAPTER XV.

THE "LEADER" AND THE SCHOOLS CONTINUED—WHAT THEY TEACH AS HISTORY IN THE SAN FRANCISCO PUBLIC SCHOOLS — JEFFERSON DAVIS PICTURED AS A THIEF—THE CONFEDERATES CHARGED WITH HAVING HIRED BOOTH TO ASSASSINATE LINCOLN, AND OTHER RIDICULOUS FALSEHOODS.

The *California Leader*, in an article on the subject of the public schools, after questioning our accusation to the effect that the school-room is the spot wherein have been planted and nurtured into fruition the seeds of hypocrisy, dishonesty, infidelity, bigotry and intolerance, both religious and political, the terrible harvest of evils from which now afflict our unfortunate country, then proceeds to say: "Of course, if this assertion were true, our whole school system ought to be demolished, and not merely reformed. But since the law prohibits, and the practice of our schools prevents, the teaching not only of sectarian doctrines, but also of either religion or irreligion, of infidelity or immorality, prescribing instead thereof a definite course of literary and scientific training, and even enumerating the books that must be used, there is no possibility of the truth of the charges made in the above quotation."

There are several propositions contained in the above sentence, which we propose to examine in detail.

Is it true, as here asserted, that the law prohibits and the practice of our schools prevents the teaching, not only of sectarian doctrine, but also of either religion or irreligion, infidelity or immorality? Let us first consider the "law," and then the "practice of the schools." So far as the law itself is concerned, we admit that it prohibits the teaching of religion in the public schools, as the following section, a portion of which we quoted in a former article, abundantly proves. Section sixty of the school laws reads thus:

"SEC. 60. No books, tracts, papers, catechisms or other publications of a sectarian or denominational character, shall be used or distributed in any school, or shall be made a part of any school library; neither shall any sectarian or denominational doctrine be taught therein; and any school, district, town or city, the officers of which shall knowingly allow any school to be taught in violation of these provisions, shall forfeit the right to any State or county apportionment of school

moneys, and upon satisfactory evidence of such violation, the State Superintendent and county superintendent shall withhold both State and county apportionments."

Thus it appears that the law not only prohibits the teaching of religion in the public schools, but enacts a heavy penalty in the shape of a forfeiture of all interest in the school money for a violation of this law. But then where is the law prescribing a penalty for teaching *irreligion* in the schools? Under the enforcement of such a law as the above, it is easy to see that to allow the "book of common prayer," for example, upon the shelf of a public school library, would be an offense punishable by a forfeiture of all interest in the school money; but is there any law imposing a similar forfeiture, if instead of the book of common prayer, the school officials should substitute Tom Payne's "Age of Reason," the infidel works of Voltaire, or even the most licentious, obscene and soul-destroying romance that ever disgraced a libertine's table? If there is any forfeiture of school moneys prescribed by law for the use of such books in the public school libraries, we trust that our friend of the *Leader* will have the goodness to tell us where it is to be found.

It is true that the law contains some vague provisions about the inculcation of moral principles, but nowhere do we find a forfeiture of school money prescribed as a penalty for a violation of these provisions; it is only the teaching of religion that the law makes a penal offense—not the teaching of irreligion.

But suppose that the law did make it a penal offense to teach irreligion and immorality in the public schools, would the enforcement of such a law under the present system be practicable? In the first place, men differ very widely as to what is religious and what is moral, and consequently they must of necessity differ just as widely as to what is irreligious and immoral.

Brigham Young, with his multitude of wives, his low black-guardism, and his beastly obscenity, as manifested in both word and deed, still claims to be a perfect pattern of religion and morality. So, likewise, the early Puritans, at the very time that they were burning, boring, branding, cropping, hanging, and banishing the poor, dissenting Quakers, styled themselves "The friends of religious liberty;" and, indeed, perpetrated all their diabolical barbarities in the sacred name of religion itself.

We have known those who would regard it as an exceedingly immoral practice to drink a glass of ale, or take a social game at cards, who would think nothing of backbiting, calumniating and blackening the reputation of their neighbors; and who would find quite an agreeable pastime in giving utterance to the foulest and most disgusting obscenity.

Who, then, is to fix the standard of morals for our public schools, and pass upon the moral qualifications of the teachers? Of course your answer will be "The school directors;" but, then, who will fix their standard of morals, and pass upon their moral qualification? Why, sir, it is the public at large.

And you, though the father of a spotless daughter, for the preservation of whose virtue you would willingly sacrifice your own life, have no more voice in determining what that standard shall be than has the foul, flesh-covered fiend who would peril *his* life for her destruction. Under our present common school system is this so, or is it not? And if it is so, then with what propriety can you say that there is no possibility of the truth of the charge which we make "that the schoolroom is the spot wherein have been planted and nurtured into fruition the seeds of hypocrisy, dishonesty, infidelity," etc.?

In further vindication of the supposed purity of the public schools, you tell us that the law even enumerates the books that must be used. Now we are heartily thankful to you, *Mr. Leader*, for introducing the book question.

We have before us one of those precious books which the law now compels the public school children of this city to study as a history of the United States. A few extracts from this work will furnish some idea of the moral character of its author.

We quote from Lossing's Primary United States, which is the history required to be taught in the primary schools of San Francisco. On page 237, this truthful history says: "Jefferson Davis, the wicked head of the Confederate traitors, very much frightened, ran away from Richmond, with a great amount of gold that he and his associates had stolen from the banks and the people, followed by a number of those associates."

Again, on same page, "While all the loyal people of the country were rejoicing because the war had so ended, President Lincoln, one of the best men that ever lived, was cruelly mur-

dered in Washington by a young man *hired by the Confederates to do the wicked deed.*"

Here follows the old slander about the disguise in female apparel. "Jefferson Davis," says our impartial historian, "the leader of the wicked rebellion, which had cost half a million of precious lives, and thousands of millions of money, became an outlaw, and a heavy sum of money was offered for his arrest. He was finally captured in Georgia, while fleeing for shelter to a swamp, disguised as a woman in his wife's clothes."

Again, on pages 222-3, when giving the cause of the late war, this veracious author says: "Men in the slave States determined to bring negroes from Africa again, and to fill some of the new Territories with them. The people of the free States declared that they should do no such thing. Bitter quarrels were kept up; they were stopped for a while, when *great men from Japan*, and a lad (the Prince of Wales), who expects to be the King of England, came here in 1860, to visit our President. As soon as they were gone, the old quarrel was resumed."

Now each and every one of the above-quoted passages is not merely false, but so utterly and ridiculously false that we do not believe there can be found in the city of San Francisco a full-grown man or even a large-sized boy of any political persuasion, from the intensest radical down to the most compromising, cringing, time-serving, place-hunting demagogue, who would not be ashamed to cite it as authority. Yet the people of San Francisco must be loaded with taxes for the purpose of teaching these barefaced, unmitigated falsehoods to their children; and this is what they call "*Education.*" And now, *Mr. Leader*, tell us candidly what do you think about this kind of history?

Do you believe that Jefferson Davis was captured "while fleeing from shelter to a swamp, disguised as a woman by his wife's clothes?" Do you believe that he "ran away from Richmond with a great deal of gold, that he and his associates had stolen?"

Do you really believe that President Lincoln was cruelly murdered in Washington by a young man hired by the Confederates to do the wicked deed?

Do you also believe, with this veracious historian, that the late terrible civil war originated in the fact that men in the slave States determined to bring negroes from Africa again and to fill some of the new Territories with them, and that the peo-

ple in the free States declared that they should do no such thing? Do you also think, *Mr. Leader*, that the arrival of these "*Great men* from Japan," these copper-colored, weasel-faced, almond-eyed Mongolians, had the effect of calming the gathering storm and hushing into silence the muttering thunders of war?

Why, what a wonderful people these Japanese must be, whose very presence determines the momentous question of peace or war, and who hold the fate of empires in the mysterious coils of their little cues. We can very well understand how it is that, in the opinion of our historian, the heir-apparent to the crown of Great Britain sinks into the insignificance of the merest nobody when in the company of these "*Great men from Japan*," for the poor boy of England unfortunately happens to be white; but we were little prepared to learn that the fiery and blood-loving Mars—the almighty god of war—had tremblingly dropped his sword and taken to flight at their approach.

All this miserable and contemptible twaddle, however, we must now accept as history, and teach it to our children as history, or else be denounced as "an enemy to education," and branded as an "ignoramus," an "ass" and a "Hottentot," by certain foul-mouthed little journals of this city, that circulate free of charge, and perpetrate a most unpardonable swindle upon their patrons into the bargain.

Of course, in saying this we are making no allusion to the *Leader*, but to a contemptible little sheet as far below the *Leader* in point of decency as a pig is below a prince.

We now ask, in the name of common sense and decency, in the name of truth, justice and humanity, how long will the parents of San Francisco tamely submit, without even a remonstrance, to see the minds of their children poisoned with this infamous, libelous and nonsensical stuff?

How long will they aid in scattering the seeds of discord, dissension, civil war and bloodshed, by permitting their children to be taught to look upon the people of the late slave States as a band of thieves, robbers and assassins, whose very best and purest men closed their public career by stealing money from the Richmond banks, and by hiring an assassin to take the life of President Lincoln?

If there is in this city the father of a child so stupidly igno-

rant as to believe these silly falsehoods, we have not a word to say against his teaching them to his children; but as regards the thousands of parents who cannot justify themselves under the plea of ignorance, and who are nevertheless sending their children to be fed upon this foul and poisonous filth, we can only look upon them as ranking in infamy side by side with the wretch who first penned these monstrous calumnies and called them history. Indeed, neither the manufacturer nor the vender of poison is half so bad as the unnatural parent who will stand by and see his own child gulp down the deadly dose. We have one, and only one, apology for parents whose children are studying this infamous book, namely: it is a late edition, and heretofore they have known nothing of its contents.

We do not intend, however, that San Francisco parents shall remain longer in ignorance of the monstrous outrage which they are aiding to perpetrate upon themselves, their children, their country and their posterity. And now, in conclusion, we call upon every reader of these lines, not only to ponder well the foregoing facts, but to bring them to the attention of his friends and neighbors, to talk over and discuss this crying evil, and endeavor to find an adequate remedy.*

CHAPTER XVI.

FALSE TEACHINGS EXCUSED BECAUSE THERE ARE SPOTS ON THE SUN
 —THE BUSINESS OF PUPILS TO CORRECT THE ERRORS OF HISTORY.

The *California Leader*, in its issue of July 21, 1866, after artfully avoiding a number of very plain interrogatories which we had previously propounded to that journal in a categorical form, touching the questions connected with our free school system, came at length to the objections which we had urged against some of those books which are now being used in our city schools for the purpose of poisoning the minds of our youth with the most absurd falsehoods which have ever found a place within the lids of a book. As we had anticipated, these political falsehoods which are now being taught as history in our public schools are a little too absurd to command the indorsement of our friend of the *Leader*. But it is necessary for him to say something, and he meets the question thus. He says:

"Such faults are like spots on the sun—unfortunate, no doubt, but by no means destroying the general value and beneficial tendency of such works."

These spots on the sun furnish a most convenient argument, truly. They are a sort of panacea; good for all diseases. Why, sir, if your argument is a good one, then there is not a prisoner in our jails, not a thief, nor a robber in our penitentiaries, or a condemned felon in our cells, who ought not at once to be set at liberty, because each and every one of these wretches could say of his crimes, and say with truth, no matter how black they might be, that they are only "like spots on the sun."

After all, what is any crime but a spot upon the human soul? And what is the human soul, when considered with reference to its original purity, but a bright planet, destined to live on, and to shine in the heavens with unspeakable splendor, when even the sun itself shall have faded forever from the firmament.

"Only spots on the sun." Indeed! If this sort of logic will stand good in the court of heaven, then it would seem that Lucifer himself and all his lost legions ought to be restored to their celestial estates, for they could all justify under the plea of "spots on the sun."

Our *Leader* friend even seems to think that after all, these books, seasoned with a smattering of falsehood, are the very things for our schools. He says:

"To err is human, and the exercise of discrimination in detecting errors and blunders in a work, of great value otherwise, is one of the best exercises for a youthful mind under the guidance of experienced teachers."

It is really difficult, *Mr. Leader*, to refrain from smiling in view of this last effort of yours to find an argument.

We are just emerging from a four years bloody civil war; a war which has cost hundreds of thousands of lives, and thousands of millions of dollars; a war which has left its bloody footprints so deeply embedded in all our social and political institutions that time itself will scarcely, if ever, eradicate them. And here is a book purporting to contain a correct history of this war from beginning to end.

This book was written by a learned historian, it has been scrutinized and indorsed by men presumed to be educated, and is now placed in the hands of thousands of little girls and boys for their instruction. We object to the book as utterly false in many of its most essential parts; false as to the cause of the war, false as to its termination, and wickedly false as to the motives of those who on either side were engaged in it. You answer by virtually admitting the charge and claiming that *the detection of these errors is one of the best exercises for a youthful mind*.

It is quite true that the detection of error is one of the best exercises for any mind, whether youthful or not, but are you not presuming a little too much on the sagacity of Young America, when you undertake to appeal to his judgment to settle disputed points of history.

We have known for a long time that this was decidedly a fast age and a fast country, and that it was no unusual thing to meet with five-year old boys who fancied themselves much wiser than their fathers at fifty, but we had scarcely hoped to see the time when lisping little urchins, not safe to be trusted out of their baby clothes, would be expected to reverse the solemn decrees of history, just by way of "*exercising their youthful minds*."

But if our children are so much wiser, and so much better versed in history than the historian himself, then why waste their precious time in sending them to school? It seems to us that we should let them write the histories, and send these ignorant historians and ignorant school directors to school.

Oh, but you say it is "under the guidance of experienced

teachers" that these errors are to be corrected. You seem, however, to forget that in this city the same power which appoints the teacher also designates the books to be used.

And, pray tell us, what assurance have you that the teacher will be a wiser or a better man, than either the historian or the school directors, by whom the teacher is appointed? Is it not a very improbable story, moreover, that the board of education will undertake to teach the child one thing by the book, and just the contrary thing by the mouth of the teacher.

Suppose that any one of the public school teachers in this city should undertake to tell his pupils that these very passages, which in our last article we quoted from Lossing's "Primary History," were, what they in fact are, and what you virtually admit them to be, namely: a tissue of unmitigated falsehoods; how long, think you, would such a teacher be permitted to retain his place in the school? How long would the school directors allow him to tell his pupils that the book which *they* had placed in their hands as a history, was soiled by the black spots of political calumnies?

Why, sir, they would hurl him from the school-room so fast that he would think the day of judgment had come.

Not the least remarkable passage in this very remarkable article of the *Leader*, is that wherein our contemporary, after admitting in effect the teaching of the most infamous slanders in the public schools of this city, triumphantly exclaims:

"In what school, by what teacher, where and when we ask, can Mr. Montgomery show that hypocrisy, or dishonesty, or infidelity, or bigotry, or intolerance, or irreligion, in any shape has been taught in our public schools. If this can be shown, let it be done at once."

Our answer is, that wherever and whenever a teacher is found using Lossing's Primary History in his school, *there* at least is the place where, and then is the time when, and *he* is the teacher by whom, hypocrisy, dishonesty, infidelity, bigotry, intolerance and irreligion are being taught.

Now as for the hypocrisy, could you, *Mr. Leader*, imagine anything more hypocritical than to teach such a chapter of infamous falsehoods as those which we quoted in our last article on the school question, and then conclude the lesson with a hymn of thanksgiving addressed to the God of All Truth.

Yet if you will turn to the very chapter from which our quo-

tations were taken, you will find that it concludes with a hymn beginning with the words: "Great God, we thank Thee," etc. If this is not the very climax of hypocrisy, then we should like to know what constitutes that crime?

As to irreligion, infidelity and dishonesty, if these offenses are not all embraced in the slandering of our neighbor, then have we studied the ten commandments to no purpose.

If you have discovered a plan whereby one may falsely charge his neighbors with larceny, robbery and assassination, and teach his children to do the same without teaching them irreligion, immorality and dishonesty, then you should by all means take out a patent for the discovery. Besides realizing an immense fortune for yourself, you would doubtless send many a poor wretch to heaven with a falsehood in his mouth who would otherwise be booked for the other country.*

**Occidental*, July 30, 1866.

CHAPTER XVII.

EXAMINATION OF A SAN FRANCISCO PRIMARY PUBLIC SCHOOL—SHEEP-SKINS SUPPOSED TO BE OBTAINED FROM THE BACKS OF COWS—A WOODEN TABLE ASCERTAINED TO BE A FOUR-FOOTED BEAST, AND A SAN FRANCISCO PUBLIC SCHOOL-MISTRESS PRONOUNCED A QUADRUPEL.

In 1866, in the August number of the *California Teacher*, State Superintendent Hon. John Swett's official organ, appeared an article on the subject of an examination of the pupils of the primary schools of San Francisco, had with a view to ascertaining their fitness for promotion. From the article in question we extract the following passages:

"To the question, 'What great, good man do you know anything about?' they answered in every instance and with the greatest promptness: 'George Washington,' or 'Abraham Lincoln,' and sometimes both. To the question, 'To what use may a cow be put,' they would generally answer, 'I don't know;' but when varied thus: 'What is a cow good for?' the answer would come promptly enough: 'Milk her; milk him! to get milk from. Meat to eat; to eat her up; leather; sheepskin.'"

"When asked: 'What are used in making books?' Very many said: 'I don't know;' but when asked: 'How do they make books, or what do they make books out of?' they seemed to be ready with an answer. Generally those who had received little or no instruction in the object method could think of nothing but paper; but those who had been so instructed, almost invariably answered: 'The skin of an animal, sheepskin, leather, paste-board, thin boards, types, metal; and only after more questioning would they mention 'paper.' As if they thought it only an insignificant part of a book, or considered it too obvious to be worth mentioning. * * * One bright little girl who had but recently entered the school, and had never been instructed concerning forms and solids, on being shown successively a parallelopipedon, cylinder and pyramid, and required to name them, almost shouted, with a gleam of triumph in her eye: "Square stick, round stick, sharp stick." One conversation ran thus:

"*Examiner*—What is a quadruped?

"*Pupil*—Anything that has four legs.

"*E*—This table has four legs, is it a quadruped?

"*P*—Yes, ma'am."

Another ran thus:

"*Examiner*—What is a quadruped?

"*Pupil*—Anything with two legs.

"*E*—Am I a quadruped?

"*P*—Yes, ma'am."

After reading the above, we almost came to the conclusion to abandon all further opposition to the present public school system. What wonder, said we to ourselves, if parents *do* hazard the lives of their little ones by crowding them in heaps into dark, damp and unhealthy cellars? What wonder if they *do* incur the danger of losing the affections of their children by placing them under a jurisdiction over which they have no control? What wonder if they *do* risk the honor and the virtue, together with both the temporal and eternal happiness of their sons and daughters, when in compensation for these little sacrifices such astounding intellectual developments can be obtained?

Let us take these questions one by one, study them and learn wisdom. What child, we ask, who had never enjoyed the advantages of being educated in our public primary schools would ever have known that sheep-skins grew on the backs of cows, or that books were made out of types instead of paper, or that either a wooden table or a San Francisco public school ma'am was a quadruped?

And, good reader, these are the mighty little intellects that our friend of the *California Leader* contends should exercise their minds "in detecting errors and blunders in a work of great value." The *Leader* thinks there is no danger to be apprehended from false books in our schools so long as such stupendous intellects as these are left free to grapple with their erroneous teachings. We suppose that it was by way of correcting some of these false notions derived from books that our juvenile friend pronounced his school-mistress a quadruped.

If the spirit of Washington was permitted to take cognizance of the examination, how highly he must have felt honored when he heard himself pronounced a "great good man" by a youth who took his teacher for a quadruped, or when he heard the same compliment coming from the mouth of that other young genius who looked upon a sheep-skin as the product of a cow's back!

Laying all jokes aside, we unhesitatingly declare that, according to our dull comprehension, the most sensible answers above reported came from those pupils whom the writer in the *Teacher* undertakes to apologize for on the ground that *they had not been instructed*. For example, it is alleged that those who had received little or no instruction in the object method, when asked, "What do they make books of?" could think of

nothing but paper, but those who had been so instructed almost invariably answered, "the skin of an animal, sheep-skin, paste-board, thin boards, types, metal; and only after more questioning would they mention paper—as if they thought it only an insignificant part of a book," etc.

Now, let the reader ask himself, in all candor, which of the above two classes of answers he looks upon as the more sensible. Are they those which came from the pupils whom our friend of the *Teacher* calls the instructed, or are they the answers of the uninstructed?

If to say that a book is made of paper indicates ignorance, and to claim that it is made out of "pasteboard," or "thin boards," or any other sort of boards; and to ignore the existence of paper in its composition, indicates education, then, for once, we shall have to plead guilty to the charge which the *Call* has preferred against us, and admit that we are opposed to education, and in favor of ignorance.

Again, the *Teacher* says that "one bright-eyed little girl who had but recently entered the school, and had never been instructed concerning forms and solids, on being shown successively a parallelopipedon, a cylinder, and a pyramid, and required to name them, almost shouted, with a gleam of triumph in her eye, 'square stick, round stick, sharp stick.'"

Now, if we knew the parents of that little girl, we should advise them to take her at once from that school, for she certainly has, at present, a very good common sense idea about the names of differently shaped sticks; but let her remain under the tuition of these teachers until she is "*instructed*," and ten chances to one the child will become so bewildered with big words that she will take that same "square stick" for some four-footed beast, and, perhaps, leave school at the end of the year, fully impressed with the idea that her schoolma'am is a quadruped (with long ears).

The Hon. Mr. Swett's reporter does not say how many of these pupils were promoted to a higher grade; we think, however, that at least one lad was entitled to his "sheepskin;" we mean the youth who pronounced cows good for the production of that article.

The above report goes on to say, that to the question, "how should young persons treat older ones?" they (the pupils) frequently answered, "I don't know;" but when asked, "How

should little folks treat old people," the answers came like sticks out of pop-guns: "Good; nice; give e'm something to eat; give 'em a knife and fork; be kind to 'em; never throw any stones; *make money out of 'em.*" Only one little fellow out of a class of sixty pupils, that had been uncommonly well drilled in object teaching, used the word "respect," and he used it in the plural.

Now is it not a noteworthy fact that among the whole enumerated series of answers to this question touching the treatment proper to be extended to old persons, there was but a single one who recognized the aged man or woman as entitled to any better treatment than would be due to them if they belonged to the brute creation? Treat them "good," says one; and so he would say if speaking of horses or cows, instead of human beings. "Nice," says another, and he would say the same if they were dogs. "*Give them something to eat,*" replies a third; why if they were swine, whose heaven was to be found in a swill-tub, he could have said no less. "*Make money out of 'em,*" cries a fourth, and that boy *certainly* ought to have his diploma, for he has learned what a vast proportion of mankind, in these days, seem to regard as the ultimate object of life.

"Only one out of sixty used the word 'respect.'" If, then, it is true that "out of the abundance of the heart the mouth speaketh," how many of these pupils respect the fathers and mothers that called them into existence?

The above paragraph furnishes the answer: only one in sixty! And what right, we are curious to know, have parents to expect that their children will be taught at school to treat them with respect, when educated under a system whose fundamental law, as interpreted by the courts, declares that "*the vulgar impression that parents have a legal right to dictate to teachers, is entirely erroneous?*"

And since parents have no right to dictate to the teachers of their own children, where, we ask, is their remedy when they find themselves occupying in the minds and hearts of their little ones a place upon a level with the horses, and cattle, and swine, and other quadrupeds that graze upon the fields, and whose ultimate and highest destiny is to *have money made out of them?**

*Occidental, August 20 and 27, 1866.



CHAPTER XVIII.

THE "FLAG" ON THE "OCCIDENTAL" AND COMMON SCHOOLS.

The editor of the *Flag* in his issue of Wednesday, Sept. 14, 1866, while referring to an article in the *Occidental*, which he had never read, says:

"Zach Montgomery's barbarous sheet should be indicted or otherwise abated as a public nuisance. A late number, as we are informed, has an article intended to show that the tendency of our public school system is to induce and promote child-murder. This is horrible. Such abominably obscene slanders ought not to be suffered. Such a flagrant insult to an enlightened community, and so cruel a wanton calumny of school girls should be properly resented by their natural protectors."

To the above we replied, as follows: Now, if the editor of the *Flag* were just half as fair and honest as he is talented, and if he were one-quarter part as active in promoting the peace, harmony and good order of society as he has been in organizing mobs, and in stirring up bitterness, hatred and ill-will amongst his neighbors, he would not have penned such a criticism as the above upon an article which, according to his own showing, he had never read.

The child-murder to which we particularly referred, as all know who read the article in question, took place in the State of Massachusetts. Had we, however, seen proper to arraign the public schools of this city for trial upon a similar charge, we should have found on file among the archives of our city criminal court a bill of indictment already drawn up in due form of law, with the sign-manual of the foreman of the grand jury, thereto duly affixed. Not only that, but the very first witness we should call to the stand, in support of this indictment, would be no less a personage than the veritable *Flag* editor himself.

Perhaps, *Mr. Flag*, you have forgotten a certain report made by a committee of Grand Jurymen, appointed to visit and inspect the public schools of this city, in the month of April last, to which report you yourself made an approving reference in your issue of April 28? Well, if you have forgotten it, we have not.

This report, which appears in full in the *Alta* of May 7, among other things, says (we italicise the letters ourselves):

"At the corner of Broadway and Montgomery streets, we found 450 children absolutely stowed one upon another in a building, into which not sufficient ventilation and light are admitted to sustain even life; and this is but a fair sample of what we witnessed on Tehama, Third, Silver, Stockton, Post and Eighth streets."

Now, we should like to inquire of our friend of the *Flag*, whether the stowing of 450 children, one upon the other in a building into which "not sufficient ventilation and light are admitted to sustain even life," does or does not have a "tendency to promote child-murder?" What do you say, Mr. Editor? Do you know any difference between murdering a child and killing it by depriving it of breath? Do not now turn round, and take issue with the Grand Jurymen, and call upon a mob to "abate them as a nuisance;" for, if you do, your own turn may come next. It is no longer ago than the twenty-eighth day of last April, when you, sir, wrote as follows touching the terrible and child-murdering condition of these very same school-houses. In the *Flag* of that date, we find the following:

"In several localities it seems as though it were impossible to crowd so many children in a building. On Tehama street, in one room twelve feet in width and twenty in length, from sixty to eighty little boys and girls were packed, with scarcely any ventilation and no yard to play in; others are in the same condition."

Such is the recent language of a newspaper, which now pronounces it an "abominably obscene slander" to charge that "the tendency of our public school system is to induce and promote child murder."*

* *Occidental*, September 17, 1866.

CHAPTER XIX.

HOW OUR PUBLIC SCHOOL HISTORIES ARE MADE.

Heretofore we took occasion to animadvert upon the fact, that "Lossing's Primary United States"—a book being used as a history in the public schools of this city—was, so far as the same related to the recent disastrous war, a tissue of the most absurd, ridiculous and revolting falsehoods. As a specimen of its monstrous calumnies we cited a paragraph from page 237, which reads as follows:

"While all the loyal people of the country were rejoicing because the war had so ended, President Lincoln, one of the best men that ever lived, was cruelly murdered in Washington, by a young man hired by the Confederates to do the wicked deed."

Now, if the reader will only take the pains to peruse the recent report of the Hon. A. J. Rogers, member of the congressional judiciary committee, touching the alleged assassination plot, he will then be able to see the foul and diabolical tissue of perjuries whereon this calumny rests for its authority.

Who, then, are the witnesses upon whose veracity Mr. Lossing charges that "the Confederates hired Booth to assassinate President Lincoln?"

At the head of the list stands one Sanford Conover, with no less than three aliases, who upon one occasion swears upon the holy Evangelists that his name is Conover, and on another occasion that his name is not Conover, but James W. Wallace.

He denied under oath in Canada all that he had stated under oath in Washington, and offers \$500 reward for the arrest of what he correctly calls "the infamous, perjured scoundrel," who had personated him, "under the name of Sanford Conover," and deposed to a tissue of falsehoods before the Military Commission at Washington, when, lo! and behold! it turns out, upon his own admission, that he, himself, is that same identical "perjured scoundrel," for whose arrest he offers the reward. Very properly might Mr. Rogers remark, as he does in his report, that "Conover having finally admitted that he and Wallace were one man with two names, and Wallace swearing that Conover is a scoundrel whose testimony before the Military Commission was but a tissue of falsehoods, might well relieve me from all analysis of testimony given by him, until such crime

as perjury in one of two courts, delivered from any motive, becomes a certificate of truth-telling in the other."

The next witness that Mr. Lossing would place upon the stand is the perjured Merritt, who now not only swears that his testimony going to implicate the Confederates in the assassination-plot, was false; but he further testifies that he had received in actual pay, through government officials, the sum of \$6000, in consideration of the perjury.

Another of Lossing's witnesses, who calls himself William Campbell, now swears that his entire evidence was false, and that government money paid to him by Judge Advocate Holt himself, was his motive for the perjury.

A fourth witness, upon whom Lossing relies for the truth of this infamous charge, is Snevel, who now swears that his "evidence was false from beginning to end." He says: "Conover wrote it out, and I learned it by heart. I made it to make money. I received \$375 from Holt," etc. (See Roger's report published in *Occidental* and *Vanguard*, October 1, 1866.)

Now it is upon the unsupported testimony of these self-convicted perjurers—the horrible blackness of whose memory is destined for all time to come to relieve the hitherto unparalleled infamy of a Titus Oates—that Dr. Benson J. Lossing has undertaken to publish it to the world, and particularly to the youth of the United States, as a fact of history, that Booth was hired by the Confederates to assassinate Mr. Lincoln.

Notwithstanding the fact that these miserable perjuries are now laid bare, and that the innocence of the contemplated victim of their infernal plot is placed beyond question, still these same damnable falsehoods are being daily taught in our public schools as historical facts.

The board of education of this city have adopted "Lossing's Primary United States," with all of its purchased falsehoods and foul perjuries, as the history for the public schools of this city, and to aggravate the evil still more, the law requires a class-book once adopted to remain in use for four years' time. For the next four years, then, must the people of this city pay for teaching to their children, as true, that which they know in their hearts is a most base, wicked and malicious falsehood. The strangest part of the business is, that those who are instrumental in perpetrating this foul wrong upon our children and our country, who are teaching the rising generation in one section to re-

gard the people in another section as assassins and friends of assassins, are the same persons who all the while prate loudly about their love for the Union. Is it by vilifying, slandering and blackening the reputation of their neighbors, that they expect to restore peace, harmony, brotherly love and good neighborhood to our distracted States and people?

If malicious falsehoods and foul perjuries constitute the proper cement wherewith to unite the now broken and discordant fragments of our once glorious old Union, then, indeed, will America owe a proud monument to the memory of Joseph Holt, Sandford Conover, William Campbell, the infamous Merritt, and the perjured Snevel. Should such a monument ever be erected, we sincerely trust that Dr. Benson J. Lossing will have the honor of delivering the oration upon the occasion of laying the corner-stone of that wonderful structure.*

**Occidental*, October 1, 1866.

CHAPTER XX.

EDUCATIONAL QUERY — SHOULD WE SEND OUR CHILDREN TO LEARN DECENCY AND PROPRIETY FROM A TEACHER WHO HIMSELF NEITHER KNOWS NOR PRACTICES THESE VIRTUES ?

The following is from the *Call* of Wednesday, September 21, 1866:

“The Dashaway Society is an organization which labors zealously for the improvement of the moral and mental tone of society; to accomplish this end it strives to secure frequently the services of men to lecture upon interesting subjects. A standing rule of the society is to eschew from its debates or lectures all questions of a partisan, political or sectarian nature, and it invariably requires those who lecture to avoid the discussion of all such questions in their discourses. One Professor K——, an advocate of muscular Christianity, was engaged to lecture before the society last Sunday evening. He insulted the society and violated its rules by rushing into partisanism. There are some men who do not seem to know enough to avoid violating the rules of propriety and common decency. Such are the men who on every occasion must lug in subjects upon which they are dazed, and which are by positive as well as conventional rules excluded. * * * In selecting lecturers the society should select men who have enough respect for the society and sufficient common sense not to violate established rules, and outrage propriety and common decency by introducing subjects unfitted for the place and occasion.”

We most cordially concur in the above strictures so liberally dealt out by our friend of the *Call*, touching the outrageous conduct of Professor K. on the occasion referred to, but then who is this Professor K., “the advocate of muscular Christianity,” who, as the *Call* says, insulted the society, and violated its rules by rushing into partisanism? Why this distinguished professor is no less a personage than the principal of one of the public schools of San Francisco, one who has been selected by our honorable board of education, on account of his natural intelligence, his learning, his morality, and especially on account of his sense of propriety, love of discipline, and strict regard for the observance of rules, to train, instruct and discipline the minds of our children. If it is true, as the *Call* in effect charges, that Professor K. does not “know enough to avoid violating the rules of propriety and common decency,” can it be ex-

pected—we ask in all candor—that he will teach his pupils how they are to “avoid violating the rules of propriety and common decency?” In other words, is it to be expected that Professor K. will teach his pupils that which he himself does not know?

Does our friend of the *Call* ever reflect that the influence of such a man as Mr. K. is infinitely worse when wielded from a professor’s chair than when employed in a public lecture-room, as on the occasion in question?

We had not the honor of being present at Dashaway Hall when the learned professor delivered himself of his political balderdash, but we are informed by those who were present on that occasion, that some twenty or thirty persons had the good sense, in the midst of his bigoted, partisan utterances, to rise from their seats and leave the hall. But suppose that these persons, instead of being full-grown ladies and gentlemen, attending a public lecture as a matter of choice, had been little girls and boys attending a public school, as a matter of compulsion. Does any one doubt that a similar manifestation of good sense on their part would have subjected them to the visitation of the lash, if not to a disgraceful expulsion from the school itself?

But there is another marked difference between the effect produced by lecturing in a public hall, to an audience of adults, and the teaching of little children at school. In the former case, the auditors being persons of mature and cultivated minds, receive what is said more as critics than as pupils. They have their respective standards of right and wrong, of propriety and impropriety, of good taste and bad taste, already erected. Every sentence which drops from the lips of the speaker is measured by their several standards, and is either accepted or rejected accordingly.

Not so, however, with the pupil at school. He sits there, not to judge, but to be judged; not to criticize, but to be criticized; not to rebuke the teacher for failing to act up to his standard of propriety, but to be rebuked by the teacher whenever he fails to adopt his (the teacher’s) standard as his own. With the pupil at school, the word of the teacher stands as the supreme law.

Hon. John Swett, in his biennial report, quotes authority to prove that, while the child is at school, he must regard neither parent nor prince as above his teacher.

The consequence is, that while occupying a teacher’s chair,

Professor K. may, in the presence of his pupils, "violate established rules and outrage propriety and common decency by introducing subjects unfitted for the place and the occasion," and all with the most perfect impunity. He may teach every child in his school to be as reckless, with regard to decency and propriety, as himself; and yet the very persons who, next to the children themselves, are the first and the most keenly affected by his pernicious and wicked instruction—namely, the fathers and mothers of the children—have no remedy for the evil. If they undertake to say to their children that the teacher is in fault, that he does not understand the rules of "decency and propriety," the chances are ten to one that the children—if they do not say so in words—will conclude in their own minds that their *parents are themselves ignorant dolts*, whose education must have been sadly neglected, for the very reason that *they* never had "Professor K." for a teacher. And yet, when we undertake to complain of the workings of an educational system which compels parents to either forfeit their interest in the school money and bring up their children in ignorance, or else send them to be taught good morals and good manners by a teacher whom the *Call* charges with outraging, for the want of sense, "the rules of propriety and common decency;" this same *Call*, with a most singular want of consistency, turns round and brands us as an enemy to education.*

**Occidental*, September 24, 1866.

CHAPTER XXI.

PUPILS OF THE LINCOLN SCHOOL MARCHING THROUGH GEORGIA.

The October number, 1866, of the organ of the State Superintendent of Public Instruction, in reviewing the condition of the Lincoln school in this city, when speaking of the daily exercises of the pupils, says. "When assembled they sing 'Marching through Georgia' with a vim characteristic of patriots." Now, as to the patriotic character of the song referred to, much depends upon the standpoint from which it is viewed. If true patriotism consists in stimulating those feelings of ill-will, bitter hatred and undying animosity, the seeds of which have been sown by the hand of fanaticism, plowed by the bombshells of war, and watered by the blood of a nation and the tears of numberless widows and orphans, then, indeed, will we agree that 'Marching through Georgia' is a most patriotic song; but, on the other hand, if true patriotism dictates the propriety of burying the recollection of past difficulties, of cultivating sentiments of fraternal affection, and binding up the fresh and smarting wounds of our lacerated and bleeding country, we are in that event at a loss to know upon what claim of right the song above referred to can be termed a patriotic song.

If we are going to teach our little ones to celebrate, in tune-ful exultation, the capture of New Orleans, the fall of Vicksburg, or Sherman's March through Georgia, will not the youth of the South soon learn to answer back by singing the victories of Shiloh, Fredericksburg, Chancellorsville, Coal Harbor, Ball's Bluffs, and the glory of two Bull Runs.

Should the families of two brothers or two neighbors unfortunately disagree, quarrel, fight and spill blood, does any one suppose that a true and genuine reconciliation could ever be effected by means of a continual recurrence to the scenes of strife and bloodshed through which they had passed during the period of their alienation? Does any one believe that the man who under any pretext whatever, killed his neighbor's cattle, fired his barn, burned down his dwelling and slaughtered his children, can afterwards make friends with that neighbor by singing, or teaching his children to sing peans in honor of these bloody triumphs? Will the rising armies of southern orphans love any better the star-spangled banner by being constantly reminded of the fact, that it has once waved in triumph

over their desolated fields, conflagrated cities, and the mangled corpses of their dead fathers, uncles, brothers and friends? Will the youths of Georgia feel for the youths of California a deeper glow of affection when they learn that the latter delight in nothing so much, as in singing the praises of those military achievements which have converted their happy homes into heaps of smouldering ruins, and turned to ghastly, grinning skeletons, the sweet smiling faces of those, whom above all earthly beings they most dearly loved?

Away with all such silly nonsense—such blood-bedizened patriotism.

For ourselves we have never belonged to that school of political theorists who look upon the sword as an instrument of union. Peter used his sword to cut off the ear of an adversary, but it required an almighty miracle of charity to replace that ear, and thus restore the union which the sword had destroyed. So with our unfortunate country, the sword has cut asunder all those kindly feelings and fraternal affection which once formed the cohesive power of the Union. And nothing short of a miracle of charity on the part both of the North and South, can ever restore the once amicable relations of our now divided sections.*

* *Occidental*, October 15, 1866.

CHAPTER XXII.

THE "NAPA REGISTER" ON PUBLIC SCHOOLS AND PUBLIC SCHOOL-TEACHERS—NO JEFFERSONIAN DEMOCRAT NEED APPLY.

Some time ago the *Napa Register* contained an article on the school question which did us great injustice, inasmuch as it totally misrepresented our position. It was too important a matter for us to permit to pass uncorrected, although we honestly supposed that the mistakes committed were unintentional, resulting more from relying upon hearsay on the part of the editor of the *Register* than from a careful personal examination of the columns of the *Occidental*. We reviewed at some length the statements of the *Register*, correcting the errors into which it had fallen, and defining our position as clearly as language could do it. Still that paper, in the face of our expressed declaration, seeks to find a bugbear with which to frighten or amuse its readers, we scarcely know which. It had, in its issue of January 14, 1865, another long article—half apologetic and partly fault-finding. It confesses that it misinterpreted our position, but still insists that we desire a division of the school fund for sectarian purposes. For the purpose of showing our readers the miserable shifts to which our opponents have to resort in combating our position, we reproduce the extract copied from our article by the *Register*, to prove that we have sectarian ends in view. The *Register* introduces the extract with the following comments:

"The following extract will show that we were not altogether wrong in supposing that he wished to have a portion of the school fund applied to the support of sectarian schools. We only erred in not saying sectarian schools of all sorts, and all other schools."

Now here is the extract:

"The principle which we have contended for is, that all parents, whether they belong to any religious denomination or not, are entitled by nature, and should be allowed by law, to select the teacher or teachers who are to be entrusted with the education of their children. We likewise maintain that every teacher should be held entirely responsible to the parents of his pupils for the manner in which he performs his professional duties, no matter whether such parents be Catholics, Protestants,

Jews or unbelievers; and further, that the proprietors of every school, when conducted according to such general legal regulations as shall not conflict with these principles should be entitled to a remuneration out of the school fund, proportionate to the number of pupils who attend such school; nor would we have any teacher deprived of his pay on account of his opinions upon either political or religious questions."

It would seem almost unnecessary for us to make any comment on the foregoing; but, strange as it may appear, the editor of the *Register* uses this extract as a text for a long article to show that our purposes are sectarian. He admits that there is a great show of justice in our statement of our position, but cannot concede that the justice is real. His logic is about this: The *Occidental* contends that all parents, whether they belong to any religious denomination or not, are entitled by nature, and should be allowed by law, to select the teacher or teachers who are to be entrusted with the education of their children; therefore the *Occidental* is sectarian. Sublime logic, truly! If we had been permitted to dictate what extract the *Register* should take from our article, we certainly would have selected the very one which was chosen, and we cheerfully welcome our contemporary to all the capital to be made out of it. Satisfying himself of our sectarianism, he declares that "it is not the true policy of the State to foster religious sects, or favor or perpetuate any or all of them." Now it is not our business nor do we intend to stop and discuss the relative merits or demerits of all or any of the different religious sects, but we propose simply to inquire what is the true policy of the State on this school question: It is evidently to mature a plan of education which will redound to the benefit of all the children in the State. It is idle to say that the public schools are open to all, and if children do not attend it is the parents' fault. Every parent wishes to educate his children. If he does not educate them, the failure is, as a rule, on account of some difficulty beyond his control. A large number of the children do not attend the public schools, and there is a considerable number who attend no school at all.

Now, why is this? Manifestly because the common schools are not satisfactory to the parents. They have objections to them which induce them to keep their children away, and either send them to private schools, if they are able, or keep

them at home, if unable. The policy of the State should then be to remove the obstacles which prevent the attendance of so large a proportion of children; and, as the dissatisfaction is evidently with the system under which the schools are conducted, we know of no way by which the difficulty may be avoided, but to place the matter within the control of parents, where it belongs.

In the article referred to, there is a remarkable admission made by the *Register*, touching the nature of the oath prescribed for teachers. Referring to a charge which we have repeatedly made, to the effect that democrats were proscribed from teaching in the public schools, because of their unwillingness to take an oath in violation of their honest convictions, and revolting to their sense of honor, patriotism and fidelity to the Constitution of their country, the *Register* says:

"That this oath excludes from the position of public teacher all who indorse the resolutions drawn by Thomas Jefferson in 1798, and known as the Kentucky Resolutions, is most true."

He then proceeds to argue the justice of this proscription, upon the ground that Jefferson's resolutions were "disloyal." So that Thomas Jefferson, the author of the declaration of American independence, and one of the profoundest statesmen, purest patriots and brightest intellects that ever adorned the presidential office, would, if now alive, stand disqualified in the eye of the law to teach even a primary public school in the State of California; and that, too, because of his political sentiments. Only those who like George the III can look upon the illustrious patriot as a traitor; are by law qualified to teach the young idea how to shoot. Verily, verily, this is a glorious public school system of ours. How devotedly, too, must the children of Jeffersonian democracts, when taught in these schools, learn to love, honor and obey their fathers and mothers.*

* *Occidental*, February 4, 1865.

CHAPTER XXIII.

FROM THE PUBLIC SCHOOL TO THE CITY PRISON.

The *Alta* of Friday, October 7, 1866, contained the following:

“For some time past there has been much complaint of the practice of robbing little schoolboys by reprobate boys in different public schools. It has become quite a common thing for a small boy to be set upon, on his way home from school, and robbed of his books and everything of value in his pockets, by larger boys, who, from long practice, have acquired a dexterity in the line, not second to that exhibited by the jayhawkers of the Barbary coast. There is much complaint also by the small children attending the Broadway School, of the depredations of the colored boys attending school near by, some of whom do not hesitate to openly seize and carry off anything they can lay their hands on. Last evening, officer Hoyt arrested two boys who attend the Lincoln School, and two from other schools, for robbing a little boy of the contents of his pockets, including some money, and a number of toys, and his books and satchel, as he was going home after school. The practice has become an exceedingly common one, and it is to be hoped that an example will be made which will put an end to it at once.”

There are several facts contained in the above brief item of police intelligence, which imperatively demand the most earnest consideration of every parent whose children attend the public schools of this city. The first of these facts to which we propose to advert, is that the crime of robbery among the pupils of the public schools is one of ordinary occurrence.

Says the *Alta*: “It has become quite a common thing for a small boy to be set upon on his way home from school, and robbed of his books and everything valuable in his pockets.”

It further appears that these juvenile thieves and pickpockets are not confined to a single school, but that, from the colored school upon or near Broadway, up to the grand and palatial Lincoln school-house which counts its pupils by the thousand, the work of pillage and robbery goes bravely on. Negro pupils and white pupils, too, seem to vie with each other in these innocent and patriotic pastimes. These are some of the sweet-scented lads that Brother Swett tells us, “sing *Marching Through Georgia*, with a vim characteristic of young patriots.”

This is the kind of education for which San Francisco is now paying at the rate of something like half a million of dollars

per annum. If it is true that evil communications corrupt good manners, then what in the name of heaven, we ask, is to become of the thousands of the now innocent little girls and boys of San Francisco, who are daily and hourly associating with the vilest of the vile?

If these children go to school with thieves, return with thieves, study and recite their lessons with thieves, and enjoy their accustomed sports with thieves, who can wonder if in due course of time they themselves learn to be thieves?

The greater danger to be apprehended from allowing young children to associate with these crime-steeped wretches arises from the fact that the latter belong to the larger class of pupils. Young children whose principles and habits are not yet formed naturally look to their seniors for counsel and example. Let the parent who doubts this proposition revert for one moment to his own school-boy days, and recall the time when the word of a senior pupil was only second to that of the teacher himself.

If the elder students play truant, the younger ones will soon learn to play truant also. If the larger boys steal apples, rob watermelon patches, and get off practical jokes on the teacher, the small boys will not be long in tendering their valuable services in aid of all such enterprises.

So likewise if a lad of fifteen summers pick the pockets of a boy twelve years old, and the same thing is repeated until, in the language of the *Alta*, the "practice has become an exceedingly common one," who can wonder if that twelve-year-old boy undertake in turn to get even by robbing some other lad still younger and weaker than himself?

Indeed the whole theory of modern politics as taught both in governmental circles and public schools, seems to rest upon the proposition that might makes right, and that the strong are perfectly justifiable in preying upon the weak.

Four pupils in one day promoted from the public school-room to the city prison after having perfected themselves in those highly popular and lucrative accomplishments of pocket-picking and brigandism, is certainly pretty good for San Francisco.

If it is true—and nobody can deny the fact—that every thief, pickpocket and freebooter in San Francisco, has the same voice as the most honest of voters in saying who shall be our school directors; and if, as a natural consequence, it turns out just as

the *Bulletin* of the 26th ult. clearly intimates is the case in this city, that a majority of these directors are themselves no better than they ought to be, what can be expected of pupils trained up under the influence of teachers chosen, rules prescribed, and books selected by such directors.

We have heretofore ventured the assertion that there was not a sane man in San Francisco, who would be willing that the good or bad training of his dog should depend upon the uncertain result of a municipal election in this city, and no one has ever dared to join issue upon the proposition. Then is it not strange, passing strange, that fathers and mothers who love their children with a devotion that never tires, an ardor that never cools, and whose happiness for time and hopes for eternity depend in no small degree upon the proper education of their children, will hazard that education upon an event upon which they would not risk even the training of a dog?*

**Occidental*, October 15, 1866.

CHAPTER XXIV.

A PRACTICAL ILLUSTRATION OF THE WORKINGS OF THE ANTI-PARENTAL SYSTEM—A TEACHER REFUSES TO ALLOW A PUPIL TO SEE HER DYING MOTHER.

Linn C. Doyle, writing from San Francisco to the *Stockton Herald*, in October, 1866, 'reveals a striking example of the fiendish barbarity of an educational system which, ignoring parental authority, transfers the guardianship and control of the child into the hands of strangers. In the name of God and humanity, we ask the blind votaries of our present anti-parental common school system, to carefully read and seriously reflect upon the following simply told, but terrible narrative. The correspondent referred to, says:

"A curious, or rather a horrible code of laws govern our public schools—here is the story: A widowed mother, failing with consumption day by day, had two children, one about six, and the other a girl twelve years old; the youngest she kept at home with her, and the eldest attended a public school near their residence. About eleven o'clock of the day, the mother felt the cold, icy hand of death stealing slowly over her form. She drew a little table to the bedside, and wrote an excuse to the school teacher, which she sent with the youngest child, and requested her daughter to come home immediately. The child was detained at the school for some time, but finally returned to the mother. The school teacher would not let the girl leave the school, for it was against the rules. Again the mother dispatched the youngest, with the word to the teacher that she was ill—dying, and wanted to see her child. The youngest was kept for a long time again, and the teacher again refused to let the girl leave the school. After the school was dismissed, the teacher accompanied the child home, perhaps to reprimand the mother for making a request so much against the rules. The child and the teacher entered the room where the mother lay. The mother's tongue was silenced forever; it was paralyzed with death; a look from her dying eyes, and a gentle pressure from her hands, and mother and child parted forever on earth—she was dead. Where should fall the censure? Upon the school directors, or on the school teacher for want of common humanity? This is stated as we can tell it; but let imagination dwell with that dying mother for a few moments, longing, watching for her child's footsteps, her words of instruction swelling her heart, the loving embrace of her eldest-born wanted to soothe her spirit ere it entered the portals of eternity. Coldly, cruelly detained by the rules of a school in this Christian age.

Christian age! such acts equal the dark days of ignorance and superstition."

Who can read the above touching narrative without feeling that there is something wrong, vitally, radically, terribly wrong, in a system of education which, while professing to train the mind and heart of the child in the way they should go, could thus force that child into so unnatural as well as unwilling an attitude of defiance to maternal authority; and that, too, at the very last and most awful moment in the whole round of earthly existence.

Well might the *Herald's* correspondent inquire, "Where should fall the censure?" For ourselves we find no difficulty in answering the question. The censure should fall upon every willing supporter of the present common school system as now organized in this State. Under existing laws the moment the child enters the public school the authority of the teacher begins, and that same moment does the authority of the parent cease. It must be remembered that Superintendent Swett maintains the proposition that parents have no remedy against the teachers, and that:

"As a general thing the only persons who have a legal right to give orders to the teacher are his employers, namely, the committee in some States, and in others the directors or trustees. If his conduct is approved by his employers the parents have no remedy as against him or them." (See Swett's Biennial Report, 1864, page 166.)

And we must not forget that this same superintendent has said that:

"*The vulgar impression that parents have a legal right to dictate to teachers is entirely erroneous.*"

Here, then, we find the great and terrible mistake made by this unfortunate mother. When on the fatal morning in question she sent her little daughter to school she no doubt cherished "*the vulgar impression*" that a dying mother would "have a legal right" to recall her own daughter from the school-room at least long enough to impress upon her tender brow a mother's parting kiss and leave with her the last tender words of parental counsel that she should ever hear.

This poor mother had forgotten that she had surrendered her child to a corporation; and that corporations not only have no

souls, but not so much as that instinctive parental love which characterizes the vilest insect that crawls. She had forgotten that in the public school-room the teacher's authority was paramount, and that she was not recognized as having any more, nor even as much, control over her own daughter while there, as would the most worthless scamp in the land who could command a vote on election day.*

* *Occidental*, November 12, 1866.

CHAPTER XXV.

BOSTON AND SAN FRANCISCO.

There are thousands of people in San Francisco who sincerely believe, or seem to believe, that no higher eulogy can possibly be paid to San Francisco, either socially, intellectually, morally, religiously or otherwise, than to compare it to the city of Boston.

If one of our ministers succeeds in drawing crowded houses, they say: "He is a regular Boston preacher." If a merchant is prosperous in trade, he acquires the reputation of being a "perfect Bostonian for business." If a beautiful lady is the subject of conversation, we are told that "she looks just like a Boston belle." Let our educational system be called in question, and we are at once pointed to Boston as furnishing the model after which our public schools have been formed.

On the twenty-second September, 1864, the Rev. Dr. Bellows, in an address delivered on the occasion of the dedication of the Bush-street Grammar School in this city, among other things, said:

"I feel as if that long voyage that lies between me and the Atlantic States were abolished, for I find myself in the midst of this assembly, as it were, in old Boston again—a copy of one of her beautiful school-houses before me, and the familiar scenes around me, which I have so often witnessed in the city of my boast, and pride, and birth—Boston—for twenty-five years of life in New York have not sufficed to wean me from the maternal breast from which I nursed the early milk of education, of liberty, of patriotism, of life. And, therefore, it is with pride and joy that I see a Boston school-house erected here in the midst of San Francisco; and not only a Boston school-house, but I see Boston men about me, and Boston children before me, and Boston ideas, and Boston hopes, and Boston patriotism, gleaming in the eyes and faces of all these youth that represent Young America and Young California. [Applause.] I say Boston, not because there are not other just as good parts of the country—as Cincinnati, Chicago, St. Louis, Philadelphia or New York—but they are all represented by the word 'Boston.'"

Now, we agree in a measure with Dr. Bellows, so far at least as their educational system is concerned, that the cities of Cincinnati, Chicago, St. Louis, Philadelphia, New York, and even San Francisco, are all represented by that word "Boston."

Before we can give expression to our great joy at finding in our midst these Boston ideas and Boston hopes, etc., which his reverence sees gleaming in the eyes and faces of these youths, we propose to inquire a little into the nature, kind and character of these hopes and ideas for which Boston has become so renowned.

In order to show the results of the Boston school system upon society, and particularly on the rising generation of that city, we append below an extract from the regular Boston correspondent of the *Sacramento Union*, which will be found in the number of that paper bearing date August 21, 1865.

The author of this letter can neither be charged with writing under the influence of sectional nor political prejudice, since he is himself a Boston man, and the regular correspondent of an influential paper devoted to the advancement of the same principles as characterized the dominant political party in the city of Boston. If it is true that "education forms the common mind," let the reader peruse the following, and tell us what he thinks of that education which formed the common mind of Boston city.

The Boston correspondent of the *Sacramento Union* referred to says:

"The terrible frequency of crimes among us—crimes, too, of the worst type—is the subject of general remark and of painful foreboding. I think I am safe in saying that no other three months in the history of this State have witnessed the perpetration of so many atrocious crimes as have the last three. Almost every issue of the daily papers announce either a murder or a rape; and during the last week there were no less than four felonious assaults on females within ten miles of Boston. In two cases the persons assaulted were children under ten years—both waylaid in the public streets. In the third case, four North 'roughs,' who were attending a picnic in the town of Weston, foully outraged a girl of sixteen. In the fourth case, two young men assaulted a girl eighteen years of age, at Milton Hill. All the villains except one of the four concerned in the third case have been arrested. But what will be done with them? What punishment is adequate to their crime? Death would be a mistaken clemency; and if that could be their sentence, we have no Governor to carry it into effect. What causes this strange frequency of heinous crime it is hard to determine. Copperheads will tell you that such things are to be expected after the return of our great armies; but I am happy to be able to state that in only one of the cases referred to was a soldier

the criminal. But a more serious question than as to the occasion of these crimes is that which concerns their prosecution. No doubt the hanging of two or three men found guilty of such offenses as those above mentioned would have a wholesome effect upon the external morality of the community; but the cure must go deeper—it must remove evils from which crimes spring as naturally as weeds from the ground. Three wards, at least, of our city are simply nurseries of vice, and children growing up within these precincts are destined almost as certainly to crime as if they were solemnly set apart to it by their parents. Statistics gathered from the criminal records of our courts show that not less than eighteen hundred children come before the courts annually as criminals. These are the boys who, born into an atmosphere of wickedness, grow up uninstructed except in vice, haunt the streets through childhood, and learn theft as their first lesson, and intoxication as their second; these are the girls who, surrounded from the hour of their birth with vice of every name, insensibly and naturally become as bad as the worst of them in the House of Correction before they reach the legal age of woman.

This is an evil which grows with terrible rapidity, and there are no means to check it. Benevolent societies may do something, but how little in proportion to the work. It is not an agreeable task to contemplate; it is a delicate subject to be handled, and people do not like to meddle with it unless forced to do so. But it is gradually assuming a magnitude that cannot be winked out of sight. It strikes me that our radical philanthropists, Wendell Phillips, Garrison, and men of their stamp, now that slavery is annihilated, could do no better service to God and their fellow-men, than by speaking and working for the thousands of youth of both sexes that each year are entered upon a life of crime and misery in the moral city of Boston. Trust the President to manage the South, which he knows so well, and turn your thoughts, oh! ye philanthropists, upon the wilderness of weeds which, if not uprooted, will choke the fair plants of virtue and morality in a city that has hitherto boasted of its purity. This carnival of crime, which we seem to be now passing through, is participated in by both sexes. Prostitution flaunts itself openly on our streets. No public place is secure from the intrusion of shameless women. On pleasant afternoons, Washington street is alive with gaudily-dressed women, who, with unblushing foreheads, elbow and crowd decent women, and solicit with every means but words the glances of the other sex. In the evening, a less aristocratic class begin their reign, and a man is fortunate if he walks through the street unsolicited or uninsulted by those female land-pirates. The proportion of very young girls engaged in this fearful trade is astonishing. Hundreds of girls not over fifteen years of age nightly walk the streets in search of a vic-

tim; and when the police, seized with a spasm of morality, make arrests of these characters, the dock of the Police Court next morning contains many faces from which the bloom of childhood has hardly been worn.

"Not to the lower classes, either, is the growth of vice confined; married women of respectable connection resort to assignation-houses, our hotels become brothels, and ice-cream saloons are thronged with frail women rendezvousing with a lover; houses of ill-fame contaminate almost every street. In one block, owned by a lady, there are five brothels, as many bar-rooms, and a large dance-hall; yet that lady belongs to one of the best families, and no doubt plumes herself upon her respectable morality. It is said that our new constabulary police is intended to wage especial war against dram-shops and bawdy-houses, but they will find harder work before them than they ever saw in the army; they are all ex-soldiers, and what is worse, will lack that hearty sympathy of the public which attended their efforts during the war; for it is a fact unpalatable, but none the less a fact, that a painful moral laxity prevails in the community, whether the result of a state of war or not, and to this in a great degree must be attributed the frightful increase of crime among us."

Here we have the result of an educational system which it costs the city of Boston \$643,700 per annum to support, and which, ignoring parental authority, turns over the child into the hands of the State. How ought the heart of the San Francisco parent to bound with joyous pride and exultation at being told that we actually have right here in our midst not only "Boston school-houses, but Boston children, with Boston ideas, Boston hopes, and Boston patriotism gleaming in their eyes and faces."

What we have here said has been dictated by no sectional feeling, but by a simple desire on our part to exhibit in their true light, to our San Francisco readers, the poisonous and deadly fruits of an educational system which they have been taught to regard as the great source of wisdom, sanctity and godliness; and to place before their eyes a picture of the dark and damning abyss of depravity to which they will doom their own children, if they continue in the future, as they have done in the past, to walk blindly in the footprints of Boston.*

**Occidental*, November 19, 1866.

CHAPTER XXVI.

DISCUSSION OF THE SCHOOL QUESTION—BOTH SIDES FAIRLY REPRESENTED.

In February, 1867, while editing the *Occidental and Vanguard*, the writer received the following communication touching the school question from a well known and eminent lawyer, formerly of Northern California, then residing temporarily at San Luis Obispo. This communication was over the assumed name of "Moro," and was as follows:

"SAN LUIS OBISPO, February —, 1867.

"MR. EDITOR: With an editor who conducts his paper with honesty of purpose, purity of motive, and comprehensive capacity, there is no difficulty in discussing questions in his own journal. From my knowledge of your head and heart, I venture—no, not venture—but confidently make through the columns of your paper, and as a differing friend, some suggestions upon your specialty—the school question.

"Each man has his standpoint. Through it he sees the world—thinks and feels for the world. With it he compares and weighs all human actions and judges mankind. From it he writes and speaks his opinions, and supports them to whatever extent his capacity may reach.

"Now, in my judgment, and I know you well, your misfortune, or your error, or your prematurity of action (I don't know what to call it) on this question arises from the fact that your standpoint is too elevated for society in general—for the commonality of parents. You are a father, not merely a physical father, not merely a provisional father, supplying food and raiment, but you are a moral, Christian, intelligent father, duly imbued with a full sense of responsibility to God and your offspring. What a responsibility! Brought into the world without their own agency; growing to manhood without capacity to mould as they grow their mental and moral nature, all children have the right to hold parents strictly accountable before God and man for neglect of this, their first duty. How few feel the responsibility! How less act it! This is not merely a dry, cold, moral duty with you. This is a fountain of paternal love, overflowing, which moistens, warms and stimulates all thoughts and feelings, and sends its streamlets into the young souls.

You, sir, live in the hearts of your children; your domestic heart glows with affection. Your little ones bask in the sunshine of a father's love—a father's devotion. Indeed, the tender care over the motherless first-born reached sublimity.

“All these conditions in high degree combine to form your standpoint. From this you write and speak to society—to ten of your class—to a thousand provisional fathers. It is well, so far as it tends to elevate the standard of parental responsibility. It is well, so far as it tends to reform gross evils and abuses. It is well, so far as it tends to drive radical politics and radical religion from the public schools. It is well to take the pigmies, if any there are, from high places over the young character of the State, and replace them with larger and nobler intellects. But it is not well to destroy the only system which will educate, in part at least, the sons and daughters of simply provisional and non-provisional fathers. What proportion, think you, of the children of the State, or of San Francisco, would receive a common education if the matter were left exclusively with their parents?

“If all were like you, we would neither need nor have public schools. But the State must see to it that the children of the poor, also of the cold and neglectful parents, are educated.

“This necessitates a *public system*. It appears to me, that your plan proposes a system of disintegration—engrafts upon our present system the power of dissolution by degrees. Component parts of the whole, may unite in small parties and draw out and take their proportions of the common funds. If this process of organization and subtraction should be carried on brisk enough, Mr. Pelton would wake up some morning and find that he had neither schools nor treasury under his direction. The change and the uncertainty, arising from the withdrawal of these voluntary organizations, from time to time, and their discontinuance at other times, would be enough in themselves to destroy the efficacy of the general law.

“It is undoubtedly true, as you contend, that the nearer the teacher is brought to the heart of the child and the head of the parent (provided the parent has a head), the better it is for the child. But where the parent has no intelligence to direct, no just conceptions of duty, and but a chilling love to impel, and a frown for all things, then leave the child in the hands of the teachers of the public schools—with teachers indirectly elected

by society. I would rather trust the head and heart of society than the heads and hearts of such parents. I would not assume, however, that there are parents who are not more or less imbued with parental love and desire for the advancement and improvement of their children; but, then, they have such an unintelligent, irregular, discordant, indifferent and neglectful way of showing it in the matter of education (when left to them alone), that one might think, were it not for the law of nature, that society has more kind regard for the child than has the parent. Theorize as you choose on this question, still the fact exists, that in this country, parents, however much they love their children, will allow all the cares, labors and pleasures of life to trample upon, cast off, and ignore their great first duty—personal attention to the mode and manner of education. Education begins, or should begin at home, and to a great extent should be conducted at home. It is not so. We must legislate for society as it is. It is not practical to make and execute laws for theoretical or hypothetical conditions. A few would follow your plan; the remainder would be indifferent to all plans. The smaller schools in the country would “break into flinders.” We had better *cure* the disease, rather than to *kill* the body.

MORO.”

To the above, the writer through the columns of his paper replied as follows:

The foregoing communication is from the pen of a well known lawyer of no mean ability, and probably presents in their very strongest light, the chief objections hitherto urged by the advocates of the New England common school system against the reform contended for by the *Occidental*.

Passing by the high encomiums which the partiality natural to an old friend has induced our correspondent to lavish upon so unworthy a recipient as the humble editor of this paper, we shall proceed at once to the question under discussion—premissing, however, that Moro is quite right in supposing that he will at no time find any difficulty in discussing questions in our own journal. There is no better way to elicit truth, and arrive at correct conclusions on any question, than to have both sides fairly represented; hence we shall never hesitate, when space allows, to give place to communications from our “differing friends,” provided always that such communications, like the one in question, conform to the legitimate rules of discussion.

Judging from certain passages in his communication, one might incline to the conclusion that Moro had fallen into the very common mistake of supposing that we were aiming at the total destruction of the common school system, and not at its radical reformation—an error which has misled thousands before him. For example, he says: “But it is not well to destroy the only system which will educate, in part at least, the sons and daughters of simply provisional and non-provisional fathers.”

In order to show that the carrying out of the plan which we propose would eventuate in the destruction of the public school system, our correspondent says: “It appears to me that your plan proposes a system of disintegration, engrafts upon our present system the power of dissolution by degrees,” etc.

Now, we must here be permitted to reiterate what we have so often said, that we are not aiming, either by direct or indirect means, at the destruction of the public schools, but only at their radical and entire reformation. What we are contending for is the vindication of Nature’s irrevocable laws. If these laws can be vindicated and the common schools so shaped as to conform thereto—and we think they can—then let them stand. But if either Nature’s laws must be trampled under foot in the education of our country’s youth or else the common schools go down, then we say let them go.

In our opinion, this school system has some good and some bad features. For example, we hold that the placing of the means of education within the reach of every child in the community is a laudable feature in that system, while the robbing of the parent of the natural and God-given right to direct and control that education is monstrous. As Moro most eloquently and ably says, “Brought into the world without their own agency, growing to manhood without capacity to mould as they grow their mental and moral nature, all children have a right to hold parents strictly amenable before God and man for the neglect of this their first duty.” But how, we ask, can the parent be held strictly accountable before man for the neglect of a duty which man will not allow him to perform, to wit: the duty of moulding the mental and moral natures of his children by such an education as his own judgment and conscience approve? That he is accountable to God is most true; but it is only for the reason that the school laws enacted by God Al-

mighty are paramount to, and consequently nullify, those enacted by man.

It is conceded on the other hand that the private school system has both its good and its bad features. Of course, we here use the word bad only in a pecuniary, and not in a moral sense, as we did when applying it to the common school system. Its chief good feature consists in holding the teacher amenable to the parent for his dealings with the child, and its principal bad feature is found in the frequent inability of the parent to pay for the child's education. Now, why not lop off from each of these systems its bad feature, and blending into one the remaining good features of each, thus remove from the path of our youthful poor the stumbling block which now bars the way to knowledge, without robbing them of the guardianship of their fathers and mothers? In other words, why not allow parents to select their public schools pretty much as they now select their private schools; and at the same time let the teacher be paid out of the public fund, not according to the number of pupils living in his district, as is now the case, but according to the number actually attending his school?

As regards the question of political and sectarian teachings in the public schools, we would protect the right of every parent, whatever his political or religious belief, against the proselytizing of his child to a system of politics or religion against which his judgment and his conscience revolt. In order the better to protect the inalienable right of the parent to the guardianship and educational superintendence over his own offspring, we would at all times recognize his right to take his child from one teacher and send it to another—thus diminishing the pay of the former and increasing that of the latter, so that the teacher might never forget that in his dealings with each individual pupil he was simply acting the part of agent for the parent. More objects to the system of school reform which we propose, on the ground of its supposed tendency to disintegrate and ultimately break up and destroy all free schools.

It is more than probable that this idea of our friend is based upon the groundless charge which has so often been preferred against us, of seeking to procure a division of the school fund amongst the different religious denominations, according to their numbers, or at least the setting apart of a portion of that fund for the exclusive benefit of Roman Catholics. If we are

correct in this surmise, we must beg leave to again repeat what we have said a thousand times, in public lectures, in private conversations, and through the columns of our paper, namely: We ask for no division of the school fund amongst the different religious denominations, nor would we have any part of that fund set apart for the exclusive benefit of Catholics, or any other class of religionists, as such.

The war which we are waging upon certain features of our present educational system, we repeat, rests not upon sectarian but upon parental grounds; *and if every man, woman and child in the world belonged to the same religion as ourselves, our objections to selecting teachers and directing the child's education by the public instead of the parental voice would still remain.*

It is quite true that the plan which we propose would tend to prevent the unjust appropriation of vast sums of the school moneys in certain favored localities, to the entire exclusion and great injury of other localities equally entitled to the use of such moneys. For example, instead of investing \$100,000 in a Lincoln palace for the accommodation of pupils in one quarter of the city, while only a few blocks away hundreds of other pupils, equally entitled to comfortable quarters, are being stowed away in miserable corner-groceries, and low, dark, dank and unhealthy cellars, the reformation which we propose would apply this same \$100,000 toward the liberal support of at least a dozen, perhaps less ornamental, but far more useful schools, in different parts of the city. Each of such schools would receive a compensation commensurate with the number of its pupils, thus enabling its proprietors to accommodate their buildings, both in size and form of construction, to the necessities of those intrusted to their care. A greater mistake could not be committed than to suppose that this sort of disintegration of the school moneys could work to the educational detriment of any child in the land, whatever might be the political or religious opinions of its parents.

On the contrary, were we in search of some plan whereby to create discord and division among the public schools, and to destroy their efficiency by driving off the pupils, we know of no better system for such a purpose than the one now in vogue.

Let figures decide the question. According to a statement which we find in the December number of the *California Teacher*, there were in this State, during the past year, between

the ages of five and fifteen, some 84,052 children, all of whom were entitled to attend the public schools, but out of this number the entire average attendance was 33,980. In the county of Los Angeles, there were 2504 entitled to attend, and but 376 who did attend. In Monterey, 1443 were entitled to attend, and but 337 did attend. In Sutter, 1005 were entitled to attend, and 282 did attend. And even here, in San Francisco, where nearly a half a million of dollars per annum are lavished on the public schools, and where 17,388 children were entitled to attend, only 7949 did attend. Nor is this state of things confined to California. We have before us a book entitled "The Daily Public School," which was recently published in Philadelphia, in the interest of the common school system, wherein it is claimed that, throughout the United States, not more than three children out of seven attend the public schools. Does it not, then, sound strangely enough to hear the advocates of a law which drives four children away from school for every three that it lets in, urging objections to amending the law in the manner we propose, for fear of engrafting upon it a system of disintegration and destroying its efficiency?

The chief causes of non-attendance upon the public schools seem to our mind perfectly obvious. In some instances, children are kept from the schools in consequence of their real or supposed sectarian tendencies; in others, because of their political bias; in others again, because of their bad morals or unhealthy condition.

While recently on a visit to a thriving village in Santa Clara county, where the political parties were nearly equally divided, we found a public school where not a single Democratic child was attending. Of course, the fear of having the children taught radicalism was the cause. On the other hand, in the counties of Sutter and Tuolumne, there are, as we learn, certain localities where the Republicans refuse to send to the schools, for fear of contaminating their children with Democratic ideas.

There are just two ways of checking this process of disintegration now going on in our schools. The one is that advocated by Thaddeus Stevens, whereby it is proposed to force all children, good, bad and indifferent, white, black and yellow, into the same schools, whether the parents are willing or not; and the other is that advocated by the *Occidental*, which aims at a removal of the causes which render parents unwilling to send

their children to school, whether such causes come in the shape of foul air, or whether they take the form of political, sectarian, or atheistical teachings.

Let the teacher once understand, for example, he who now has charge of one of the model primary schools of this city, where the children are piled one on the other, inhaling the foul death-breeding air of a dark cellar, studying Lossing's lies for history, and singing "hozannas" to an executed thief and murderer, as a religious exercise, we say, let that teacher once feel that he stands individually responsible to the parents of each and every one of his pupils for the health, as well as the mental and moral training of such pupil; that the amount of his pay depends upon the number of children taught in his school; and that the competition of a better school would rob him of his employment, and our word for it, his miserable cellar would be speedily exchanged for more comfortable quarters; "Hail Columbia" would take the place of old "John Brown," and the truth of history would be vindicated by converting Lossing's "Primary United States" into kindling fuel, instead of employing it, as now, to light the infernal fires of sectional hatred, discord, and wars interminable. Under the workings of such a system as we propose, no difference what might be the politics or religion of the teacher, nor how diverse and conflicting the political and religious opinions of his patrons, knowing that the amount of his pay must depend upon the number of his pupils, and that the number of his pupils must depend upon the will of their parents, he would find it his interest, no less than his duty, to carefully exclude from his pupils all teachings, whether of a sectarian, a political or an infidel character, calculated to offend any class of his patrons.

For the life of us, we cannot understand by what process of reasoning the conclusion can be reached that a parent who is now sending his child to a teacher that is not of his choice, would refuse to send him to one of his own selection.

To suppose that the schools would all be broken up, and the children left to grow up in ignorance, because of each parent's being allowed to select his own school, while the State stands ready to pay for the tuition, seems to us about as reasonable as that the hotels and eating-houses would all be broken up, and the people left to starve, if each individual were allowed to take his meals where he pleased, the government being both able and willing to foot the bills.

He must be a brainless fool, indeed, who would allow himself to starve in the midst of free lunches, or who would permit his children to grow up in ignorance, surrounded by free schools, simply because of being allowed to choose for himself, in the one case, where and what he would eat, and in the other case, where, by whom, and how his children should be educated.

We can easily understand how the hotel-keeper, who is to get his pay from the government, whether his victuals are eaten or not, might naturally enough so disgust his guests with tainted meats, strong butter and swill-milk, as to empty his hotel, and leave his waiters idle; and it is precisely upon the same principle that the school officials and school-teachers, who draw their pay whether the children come to school or not, do not hesitate to regale their pupils on fetid air, false history, and blasphemous songs. Under these circumstances, it is no wonder that only three children out of seven attend the free schools.

But our correspondent argues that there is apparently a want of sufficient intelligence on the part of parents to enable them to properly discharge the parental duty of directing and controlling in the matter of the child's education, and that therefore it is necessary to devolve this duty on society at large. He says: "It is undoubtedly true, as you contend, that the nearer the teacher is brought to the heart of the child, and to the head of the parent (provided the parent has a head), the better it is for the child. But when the parent has no intelligence to direct, and no just conceptions of duty, and but a chilling love," etc., "leave the child in the hands of the public schools, with teachers indirectly elected by society."

Now we are at a loss to know whether our correspondent intends to assume that these parents whom he designates as without heads, destitute of intelligence, and impelled by a chilling love, constitute only exceptional cases, or whether he would claim that they form the majority of society. If they are only the exceptions, and form no fair standard by which to judge the great mass of mankind, then we ask, in all candor, is it not exceedingly bad legislation to force upon millions of intelligent, virtuous and affectionate parents, a system of school laws which are only fitted for cold-hearted and brainless dolts? On the other hand, if our friend Moro adheres to the theory of general depravity, cold-heartedness and stupidity, then we are curious to know whence a society, made up of such brainless

elements, is supposed to derive its superior wisdom? If you cannot trust a child in the custody of its mother, idiot though she be, surely you will not dare consign it to the raving mercies of a mad-house? And is it not a horrible thought to the reflecting father, that these ignorant, heartless and headless parents, whom he is not willing to trust with the custody of their own children, must be made the guardians of his? For be it remembered, that they each have a voice, and just as many voices, too, as the most intelligent father, in shaping the educational institutions of the country, and determining who shall be our teachers. It will not do to say that these ignorant parents have no direct voice in choosing the teachers; for, although they do not vote directly for the teachers, they do vote directly for the men who make and unmake the teachers—in other words, they vote for the teachers' masters, and the most intelligent and virtuous parent in the land can do no more. We cannot understand how it is that a parent who is unfit to have charge of his own is any better fitted to take charge of his neighbor's children.

Our correspondent seems to have fallen into the error of supposing that multitudes are more humane, more just and more benevolent than are the individuals composing such multitudes; whereas all history and experience show that just exactly the reverse of this proposition is true. Hence, it so often happens that a mob perpetrates outrages against all law and justice, from the bare mention of which any single individual composing such mob would shrink with horror, if left to act upon his individual responsibility. Nor is this principle limited in its operation to mere mobs.

In the month of May last, as we told our readers at the time, a committee of San Francisco grand jurymen, in reporting upon the condition of the common schools of this city, among other things said: "At the corner of Broadway and Montgomery streets, we found 450 children, absolutely stowed one upon the other, in a building into which not sufficient ventilation and light are admitted to sustain even life: and this is but a fair sample of what we witnessed on Tehama, Third, Silver, Stockton, Post and Eighth streets."

Now, is it fair to suppose that there is in this city a single parent so base or so stupid—unless indeed it results from a common school education—that if left to choose his own school,

would have thrust his children into such a miserable den as one of those here described? No, sir, unless for the reason just suggested, no one man, whether parent or not, could have been equal to such a barbarous work. It required the combined wickedness, ignorance and venality of an entire city, concentrated in and operating through that soulless corporation known as the board of education of San Francisco, to perpetrate so fiendish an outrage upon a parcel of young and defenseless children.

We confess, nevertheless, that there is a volume of fearful truth embodied in that sentence of our correspondent, where he says: "In this country, parents will allow all the cares, labors and pleasures of life, to trample upon, cast off and ignore their great first duty—personal attention to the manner and mode of education.

We now propose to show that it is precisely to our present educational system—that system which Moro seeks to defend—that we must look for the source of this very parental neglect of which he complains. We hold that every faculty with which the Almighty has endowed man or beast, is strengthened by exercise and enfeebled by disuse. Hence the difference in size and strength between the limbs and muscles of the robust blacksmith, and of the puny dry goods clerk, both of whom may have started life equal in strength and with similar prospects of reaching a giant's power. But, exercise has made the one a giant, and the want of it has left the other a pigmy. Lippincott, in his *Gazetteer* of the world, speaks of a custom which has long prevailed in Egypt, of hatching chickens by artificial heat and raising them by hand; and the author adds that "the poultry reared in this way are wholly without the instincts which relate to the care of offspring; the artificial method of hatching, therefore, when once resorted to, soon becomes necessary, and the natural system of incubation is totally superseded."

It was upon this same principle that the fathers and mothers of ancient Sparta, having been reared and educated by the State, according to the plans and purposes of the State, without regard to the wishes of parents, hesitated not, in obedience to the State's behests, to murder their own children whenever feebleness or deformity threatened to render them a charge upon the public. When Spartan mothers rejoiced to learn that their sons had fallen in battle, it was not because they loved

their country more than other mothers, but because they loved their children less. We need not, however, go either to ancient Sparta, or to an Egyptian poultry-yard, to learn the fruits of an unnatural, anti-parental system of education. The Egyptian fowls simply neglected their chickens, but they neither destroyed their eggs nor took the lives of their young. The Spartan mother only visited with death the feeble and the deformed; but it remained for the mothers of our own day and country; for the intelligent, the refined, the highly educated and Christian mothers of America to murder indiscriminately the feeble and the strong, the ill-shaped and the well-formed. The Lawrence (Mass.) *American*, of July 11, 1866, publishes an account of the wholesale murder by starvation of helpless infants by a fiendish old hag (a Mrs. Rogers) who had been specially employed by their unnatural and monster-hearted mothers for the diabolical work. It was therein related that some of these mothers, while their little innocents lay writhing in the last agonies of starvation, were heard to express the pious hope "*that their infants would die, and they would then be relieved of the burden of paying a dollar a week to the woman for their support.*"

It is true that the murder of these children of itself, horrible as it was, amounts to but little in the great aggregate of human crime; but when we come to reflect that these child murders are but the outcroppings of a deep seated and far reaching moral malady, which underlies the whole social fabric, striking its poisonous roots into millions upon millions of young and tender minds, threatening not merely the downfall of social order, but the annihilation of society itself, then indeed are they sufficient to fill with alarm every reflecting mind.

Not even content to wait for their victims to see the blessed light of day, many of these moral monsters, wage a murderous war by anticipation against their unborn and unbegotten babes. As a gentleman of intelligence truthfully remarked to us a few days ago: "It is beginning to be looked upon by many as the very *acme* of an accomplished female education to learn how to play the part of a wife without incurring the dangers of becoming a mother."

Since we began to pen this article, we have received the January number of the *Land We Love*, in which we find some extracts published by a Boston paper, from a lecture recently

delivered by a Dr. Nathan Allen, of Lowell, Mass., which throws sufficient light on this gloomy subject to startle the most indifferent well-wisher of the human race. Let those who doubt that the raising of chickens and of children without parental care is attended with similar results, read the following:

“The district to which Dr. Allen’s inquiries apply has been settled about two hundred years, and its history will include some six generations. From actual examination, it is found that the families composing the first generation averaged eight children each; the next three generations averaged about seven to each family; the fifth generation about four and a half, and the sixth less than three for each family; while the generation now coming upon the stage is not doing so well as that. ‘What a change,’ moralizes the doctor, ‘as to the size of the family now and in former times? Then large families were common—now it is the exception; then it was rare to find married persons having only one, two and three children—now it is very common? Then it was regarded as a calamity for a married couple to have no children; but now we find such calamities on every side of us—in fact, they are fashionable!’ Dr. Allen finds, from a census of the State in 1765—just one hundred years ago—that almost one-half the population in the towns he has already alluded to, was under fifteen years of age, but now there is not one-fifth of the American population made up from this class. ‘If there shall continue to be every year,’ concludes the doctor, more deaths than births—if the families now upon the stage average less than three children each, and these in each successive generation, have on a average, a less and less number—if only about three-fifths of those born even live to an adult age, to say nothing about the decrease in marriages, it is pretty evident that the Yankee race is destined to run out.”*

In further proof of the alarming facts revealed by Dr. Allen, we may here refer to the United States Census Reports for 1860, p. 276, from which it appears that in the State of Massachusetts the number of births per annum, among the foreign born population, averaged one to every fourteen inhabitants,

*Since the first publication of our discussion with “More,” we have seen going the rounds of the papers a report prepared by this same Dr. Allen, wherein the author, in referring to the procurement of abortions, declares that this most dreadful practice is “*on the increase in all classes of society, rich as well as poor.*” “*Nowhere, and at no time in the history of the world* (says this gentleman) *was the practice so common as it is in this country.*”—[See Sacramento Union, October 31, 1867.

while among the natives, the average was but one to fifty-seven inhabitants.

In commenting on the above lecture General Hill adds:

“The lecture will serve to explain a remarkable fact noticed all over the South, viz.: that since emancipation, not one-fifth as many negro children have been born as in the same period in former years. Oh, ye school-marms of Massachusetts, when will the full result of your teachings be known?”

To us it is no matter of surprise that the victim of a common school education under the present system, naturally shrinks from the idea of becoming a parent. No sooner is the little Miss out of her mother's arms, than the State takes charge of her education. The State designates for her the school-house, selects her books, appoints her teachers, chooses her companions, and in fact does everything that the parent ought to do, and all upon the ground that the parent is not fit to be entrusted with this high duty. The mere fact of sending the child to such a school—whatever its character—gives a sort of parental sanction to this monstrous usurpation; and the result is that the child soon learns to believe in the terrible fallacy upon which the whole system rests, namely, that it is safer, as Moro expresses it, “*to trust the head and heart of society than the heads and hearts of such parents.*”

True, when she looks upon society and scrutinizes its component parts; when she studies its history and fathoms its motives of action, she will probably form no very exalted opinion either of its wisdom or its morality. She finds it a body without a soul; its garments are stained with the blood, and its countenance blackened with the crimes of ages; it counts among its members and claims as its counsellors, every drunkard and loafer, every hypocrite, perjurer, thief, pick-pocket and robber; every rake, fornicator and adulterer in the land. By the dim light of history, she sees it at one time driving into banishment and to death the illustrious Hannibal; at another, expatriating the noble Marcellus; now murdering a Socrates, and now crucifying the Eternal Son of the living God. From Sinai's heights she hears the voice of this same God commanding in thunder tones: “*Honor thy father and thy mother,*” and then she hears this red-handed deicide—society—exclaiming: “*I forbid it, honor not thy father and thy mother, but honor me whose*

head and heart it is safer to trust than the heads and hearts of such fathers and mothers."

The choice having been once settled against the parent and against the positive command of God himself, who can wonder at what follows.

If society teaches through its schools a code of politics, of morals or religion which conflicts with that taught by the parents, it having been already determined that it is safer to "trust the head and heart of society than the heads and hearts of such parents," as a matter of course, the child sides with society and against the parents. If the parents teach the little girl that old John Brown was a great sinner, and society teaches that he was a great saint, she will adopt the opinion of society; and just in proportion as the illustrious Kansas criminal rises in the scale of her estimation, in the same proportion will her own father and mother be lowered.

The result of such a conflict between the teachings at home and the teachings at school is not problematical. The little girl will grow to womanhood a proud, disobedient, ungrateful child, despising the very name of mother. For *her* home would have no attractions. Theatres, and balls, and parties, and buggy-rides, and street displays would take the place of home enjoyments. In choosing between honorable marriage with its pains and its cares, its toils and its tears, on the one hand, and on the other, the gay and guilty life of the courtesan, with its false hopes and delusive pleasures, who can wonder if such a young lady with such an education prefers the latter.

But suppose she chooses the part of marriage. Despising as she does her own mother, is it likely that she will desire to take a mother's place, and become the very thing which she thus despises? When she reflects upon the prospect of giving up society—her dear old society, which she has been taught from infancy to revere more than the mother that bore her or the father that gave her bread—society with its balls and pic-nics, and promenades, and pleasure rides; and when she thinks of confining herself a prisoner at home, doomed to the pains of bearing, and the cares, toils, and anxieties of rearing children only to hate her as she hates her own mother, who can wonder if this wretched, monsterized victim of a false education calls to her aid some one of the numerous diabolical modern appliances to prevent conception? (We make no apology to our

readers for using plain language, because the subject and the occasion imperatively demand it. We feel that the fate of unborn millions, if not the existence of society itself, is involved in the questions which we are discussing, and no mock modesty shall deter us from making ourselves understood. We know that our friends who understand our motives will not complain; while our opponents, who daily read in *their* own most *respectable journals*, advertisements offering for sale these self-same satanic and God-forbidden appliances, surely have no ground for complaint.) These instrumentalities failing, it too often happens that some deadly drug or a surgeon's steel is sent upon its infernal mission of death; or, perhaps, as a last resort, if the little stranger will persist in thrusting his unwelcome personage between the mother and her dear "*society*," either some Mrs. Rogers' boarding house, or a San Francisco basement school, like that on the corner of Broadway and Montgomery, accomplishes that which milder means had failed to effect.

Of course, we do not intend to intimate that a life of guilt always marks the career of him or her who has been doomed to this anti-parental system of education; but we do insist that its tendency is in the direction to which we have pointed. We most firmly believe that no nation, no people, no society, no religion that adopts it can long survive its demoralizing, poisonous and death-engendering influence.

CHAPTER XXVII.

A BLAST FROM A PREACHER.

The *California Christian Advocate*, in its issue of the twelfth of July, 1866, had the following:

"The *Occidental and Vanguard*, Zach. Montgomery, editor, date July second, publishes a letter from J. F. Linthicum, dated Tuquerres Cauca, U. S. of C., May 12, 1866. This letter and its author are commended by the editor of the *Occidental and Vanguard*. Especially is it approved as furnishing 'another link to the chain of testimony against the monstrous crime of negro equality.' Mr. Linthicum says of the people: They are ignorant, indolent, and exceedingly filthy in their habits; and much more to the same effect, which we do not choose to quote. Mr. L. might have lifted the veil from priest and devotee, and deepened the gloom of his picture of the ignorance and moral depravity of these people; he would not wound the sensibilities of his friend. We will make a few statements, the correctness of which Mr. Montgomery will not question. They have no free schools in Central America; there is no Protestant Christianity in effective organization and operation there. The dear 'Mother Church' has had the instruction and moulding of these people for generations, undisturbed by free speech, free press, free thought, free men. Therefore, the beautiful and truthful picture of the social and civil condition of that people, drawn by Mr. Linthicum."

To the above we replied as follows: It is quite evident that the reverend gentleman who penned the above scurrilous attack upon a class of religionists to which he doubtless knew that the editor of the *Occidental* professed to belong, was actuated by the hopeful desire of provoking from us an assault upon Protestantism, by way of retaliation for the sneering reference which he makes to what he calls "Mother Church." Unfortunately, however, we have never had the advantage of being educated in such "*free schools*" as those to which his reverence alludes; and, consequently, have never learned to make war upon our neighbors on account of their religious opinions, or to doubt that they have an equal right with ourselves to worship God according to the dictates of their own consciences. If we were not born in New England, and, consequently have not had the advantages of her free schools, we beg his reverence to remember, that while it may be our misfortune, it is certainly not our fault.

Our defense is this. As nearly as we can gather from the record of an old family Bible—yes sir, strange as it may sound in your ears, our benighted ancestors actually had a Bible—our forefathers migrated from the Old to the New World, now something like two hundred years ago. At that time our paternal ancestors were members of what you call the “Mother Church,” as were also a portion of our maternal ancestors, while another portion were staunch Protestants of the Established Church of England. The consequence was that neither branch of our family was permitted to set foot upon the sacred soil of New England, which at that time under the jurisdiction of the blue laws, was addicted to the Christian practice of drowning witches, burning, hanging or banishing Quakers and other dissenters, for opinion’s sake. They were therefore, deprived of the priceless privilege of educating their children in those model “free schools,” where the importance of these pious practices were probably taught as a necessary part of a common school education.

Unable to find a lodgment on New England soil, these ancestors settled in old Maryland, where Catholics and Protestants of all denominations lived together in peace, harmony and brotherly love, each content to mind his own business and to worship God according to the dictates of his own conscience, leaving his neighbor to exercise exactly the same privilege without the fear of fire, water, or the hangman’s halter.

They did not believe that anger, hatred and ill will, constituted any part of Christian charity, nor did they recognize either the gibbet or the stake—whether employed by Catholic or Protestant—as a legitimate argument in behalf of religious truth.

During the primitive period of Maryland’s history, the parents of that benighted colony were ignorantly supposed to be the most proper guardians of their own children, and exercised a paramount control over the subject of their education. As might have been expected, they caused their children to be imbued with the same stupid ideas of reciprocal toleration which they themselves entertained.

These are the ideas which our own immediate paternal and maternal ancestors; migrating, the former from Maryland, and the latter from Virginia, brought with them to Kentucky more than half a century ago; and these, reverend sir, are the ideas

which at a latter period they transmitted as an inheritance, good or bad, as the case may be, to your humble contemporary. These ideas have ever constituted our rule of thought and of action, and form the standard whereby we shall endeavor in the future as in the past to regulate our intercourse with all our fellow-citizens, whether they be Jews, Catholics, Protestants or non-religionists.

And now, reverend friend, we trust that you will find no difficulty in understanding why it is that we cannot be provoked into making an assault upon you, on account of your religious belief, even by way of retaliation. Indeed, without at all hypocritically pretending to agree with you in religious opinion, we very much incline to the belief that a strict adherence on your part to the doctrines taught in that book, which you profess to make your rule of faith, even as interpreted by yourself, when prescribing maxims for the government of others would have saved us the disagreeable necessity of making the foregoing remarks. And why should we attack any system of religion, whether we regard it as true or false, on account of practices, which, after all, are in violation of its teachings? To pursue such a course would be to imitate your example when you undertake to attribute the filth, ignorance and immorality of the degraded mongrels of South America to the teachings of a church whose colleges and seminaries of learning bespangle the world, and are of such a character and standing certainly as to need no commendation at our hands.

Were we even otherwise disposed to make such an assault upon our Protestant friends and neighbors as you seem desirous of provoking, so ungrateful a task would be utterly out of the question, for the following reasons: We could not forget that the liberties which we inherited from our fathers were due, in great part, to the blood of our Protestant patriots, generously poured on a hundred battle-fields; that many of our old schoolmates and warmest friends, both in California and other lands, are professed Protestants; and finally, we could not lose sight of the fact that there are to-day about three Protestants to one Catholic amongst those who, in the very teeth of misrepresentation, calumny and persecution, are standing up, not only like men, but like true, moral and mental heroes, which they are, and battling by our side against the obnoxious feature of this same boasted "free school" system, which is robbing the par-

ent of the care, custody and affection of his child; the child of the guardianship, counsel and protection of its parents; and the people at large of both their liberties and their virtue.

Do not, however, imagine in reference to this school question, that we are waging a war against education itself, nor even against the more commendable features of the "free school" system. What we desire to do is to cut out the putrid parts in order, if possible, to preserve the sound. Nor do we wish our remarks to be construed into an indiscriminate assault upon either the New England States or New England people. Like every other part of the world, New England has had, and still has, its good and its bad institutions, as well as its good and its bad people.

We maintain that the renowned Franklin is by no means to be held amenable for the sins of the infamous Cotton Mather; nor should the immortal Webster be made to answer for the moral obliquities which the newspapers attribute to the squinting Ben Butler.*

**Occidental*, July 23, 1866.

CHAPTER XXVIII.

THE "EXAMINER" AND THE SCHOOL QUESTION.

In its issue of Saturday, Nov. 22, 1867, the *Examiner*, having done us the kindness to copy into its columns our platform of principles on the School question, took occasion to submit some comments thereon, which we reviewed as follows:

In the article alluded to, the *Examiner* says:

"We are rather inclined to think that the present system, in its main features, is not so objectionable in itself, but the defect exists in the manner in which it has been perverted to base partisan ends."

It is quite evident from the indefinite terms in which our esteemed friend expresses his sentiments concerning our educational system that he is not very decided in his endorsement of its merits. We now propose to address ourselves to the task of proving affirmatively the truth of the proposition which the *Examiner* without denying, seems inclined to doubt, namely, that the present common school system, in at least one of its "*main features*" is "*positively objectionable in itself.*"

Now, if it can be shown, as claimed in one of our published resolutions, that the parent is the natural and God-appointed guardian of his own children; that he is endowed by his Creator with the *inalienable right* and charged with the *inalienable duty* of determining in what manner and by whom his own child shall be educated, and if it can be further shown that one of the main features of our present educational system stands in direct conflict with this *natural, inalienable* parental right and parental duty, we presume that it can scarcely be denied that the system is "*objectionable in itself.*"

The law of Nature, as it stands written on the heart of every creature, from man down to the meanest insect that crawls, proclaims in unmistakable language that "the parent is the natural guardian and God-appointed teacher of its offspring." Why, the very wolf that would willfully refuse to teach its young how to supply its wants, and to shun danger, all mankind would, with one accord, pronounce a monster; while the *man* who would imitate that monster, would deserve to rank as far below the dignity of a wolf as does a wolf below the dignity of man.

Revelation too, but reiterates the natural law on this subject:

"My son, keep the instructions of thy father, and forsake not the teachings of thy mother."—*Proverbs* i: 8, 9."

"A wise son heareth his father's instructions."—*Proverbs* x: iii, 1."

"Children obey your parents in all things."—*Colossians* iii:25."

Nowhere do we find the child commanded to look either to a governor, a legislature, nor to a board of education, but always to his own *parents* for counsel and instruction.

Wayland, in his elements of moral science—a work once used as a class book in the public high schools of this city,—when speaking of the natural duties which the parent owes the child, says:

"1. He is bound to inform himself of the peculiar habits, and reflect upon the probable future situation of his child, and deliberately to consider what sort of education will most conduce to his future happiness and usefulness."

"2. He is bound to select such instructors as will best accomplish the results which he believes will be most beneficial."

"3. He is bound to devote such time and attention to the subject as will enable him to ascertain whether the instructor of his child discharges his duty with faithfulness." * *

"He has no right to say that he has no time for these duties. If God has required them of him, *as is the fact*, he has exactly time for them," etc.

In referring to the duties of the teacher, Wayland says: "If he and the parent cannot agree, the connection must be dissolved."

Again, under the head of the "rights of parents," the same author says: "The right of the parent over his child is of course commensurate with his duties. If he be under obligation to educate his child in such manner as he supposes will most conduce to the child's happiness and the welfare of society, he has, from necessity, the right to control the child in everything necessary to the fulfillment of his obligations."

So inseparably connected with the parental office is this duty to control in the matter of the child's education, that we do not hesitate to assert that, if every man and woman in the world were a living model of perfection, without spot or blemish, religiously, morally, mentally or physically, still would the duty of directing and controlling, in the matter of each child's education, devolve, imperatively and inalienably, upon its own

father and mother; for the simple reason that, of all created beings, it is *only* the father and mother of each child who can love that child with a parent's love; it is only the *father and mother* that can know all the little peculiarities of the child's mental, moral and physical organism, a knowledge of which is indispensably necessary to the right understanding of its educational wants; it is only the parent who has a parent's opportunity, by daily and nightly contact with the child, to learn whether or not the teacher performs his duty; and finally, it is only the parent who, like the child itself, has a world of happiness or a world of misery involved in its good or bad training.

Now does our contemporary deny these propositions? Does he deny that, in the language of Wayland: "The parent is bound to select such instructors as will best accomplish the result which he believes will be most beneficial?" Does he deny that the parent is "bound to devote such time and attention to the subject as will best enable him to ascertain whether the instructor of his child discharges his duty with faithfulness?" Does he deny that the "*teacher is only the agent, and the parent the principal,*" and that "*if the teacher and the parent cannot agree the connection must be dissolved?*" or does he deny, as Wayland again asserts, that "the duties of a parent are established by God, and that God *requires us not to violate them?*"

We certainly have too exalted an opinion of both the head and heart of our friend of the *Examiner*, to suppose for one moment that he can, on reflection, doubt any one of these propositions.

The truth of these propositions being admitted, it only remains to inquire whether the laws regulating the present common school system stand in conflict therewith. If such is the case, then either has God Almighty made a mistake, or else those laws must be wrong.

Mr. John Swett, our State Superintendent (that soon is to be, no more, thank heaven!) in his biennial report, published in 1865, has compiled from the decisions of Eastern courts—made under statutes similar to ours—what is now claimed and acted upon as law, governing the school system in this State. On page 165, the startling doctrine is announced that "*The vulgar impression that parents have a legal right to dictate to teachers is erroneous.*" Again, on the same page: "*There is no privity of contract between the parents of pupils to be sent to school and the*

school-master. The latter is employed and paid by the town, and to them only is he responsible on his contract." Again, on page 156: "*Parents have no remedy as against the teachers. As a general thing, the only persons who have a legal right to give orders to the teacher are his employers, namely: the committee in some States, and in others the directors or trustees. If his conduct is approved of by his employers, the parents have no remedy against him or them.*"

Now is there no conflict between the statute law, as here expounded, and the natural law, as above laid down? When the natural law declares that, in the business of education, "*the teacher is only the agent, and that the parent is the principal,*" while the statute law proclaims that "there is no privity of contract between the parents of pupils to be sent to school, and the school-master," is there no conflict there? When the natural law binds the parent "to inform himself of the peculiar habits, and reflect upon the probable future situation of his child, and deliberately to consider what sort of education will most conduce to his future happiness and usefulness," while the statute law undertakes to transfer this important duty to a board of twelve politicians—who never saw the child, and who know absolutely nothing of its *peculiar* habits, or its probable future situation—is there, we ask, no conflict there? When the law of nature says to the parent that *he* is bound to select such instructors as will best accomplish the results which *he believes will be most beneficial to his child*, while the school law reposes this duty in the hands of a board of education, who are in no manner amenable to the parents, is there no conflict there?

In the month of May, 1867, Mr. John Swett, in an address delivered before the Teachers' Institute, held in this city, said:

"We have a course of study, established by law, by means of which teachers are enabled to pursue an intelligent system of instruction, *in spite of the prejudices of parents who are too ignorant to comprehend the purpose of a school.*" (See June number *California Teacher*, page 321.)

Now, as to the merits of this intelligent system of instruction, which teachers in this city and State are enabled to pursue in spite of parents, there is no difference of opinion between the *Examiner* and ourselves. We furnished some specimens of this *intelligent instruction* in the card which the *Examiner* was kind enough to publish. Under this "*intelligent system of in-*

struction," the teacher is enabled, in spite of parents, to fill the minds of our country's youth with the most infernal tissue of ridiculous falsehoods that ever emanated from the diseased brain of fanaticism. This fact the *Examiner* will not question. No one can question it who will take the pains to examine the school literature in use in this city. We are persuaded, too, that our contemporary will not disagree with us when we assert that every parent is bound by the law of Nature to protect his own children against the baneful influence of these false teachings. Is there, then, we again repeat, no conflict between this law of Nature, which, on the one hand, binds the parent not to allow certain things to be taught to his child, and this law of John Swett on the other, which enables the schoolmaster to teach those very things in spite of the parents? Here, then, is the great radical wrong in the present common school system, of which we complain; namely: that it subordinates the authority of the parent over his own child, to the authority of the State, and leaves the former powerless to do that which the law of Nature makes it criminal in him to omit. It will not do to say that the parent can protect his child from false teachings by keeping it at home, and thus forfeiting his interest in the school fund, for there would still be a conflict between that divine law which requires the parent to protect his child from false teachings, and that human law which would force him to pay a forfeit for rendering obedience to such divine law. Were these two laws in harmony, the one could not impose a penalty for a compliance with the other. Could any proposition be clearer than this? What says the *Examiner*?

Now, what we desire, is to see our common school system made to harmonize with the great eternal and unchanging laws of Nature. We wish to see parental authority once more recognized as paramount in the great work of education. We are not a stickler for any set form of details, but shall gladly accept any plan which does not conflict with the natural and inalienable rights and duties of parents.

While we are committed to no specific plan, we can see no serious objections to the main outlines of the one which the *Examiner* attributes to us, when it supposes that under our contemplated plan, those parents who do "agree, can get up a school, select the teachers, and let others do the same, and the school fund is to be distributed among the schools in proportion to the number of their scholars."

Now, we have already learned from Dr. Wayland, that, under the moral law, whenever *the teacher and the parent cannot agree, the connection must be dissolved*; and unless this proposition be denied, it necessarily follows, that only those parents who can agree upon a given school, can, without a violation of Nature's laws, send their children to it.

"But," says the *Examiner*, "this would seem to do away with the public school system, and would only supply a common fund to divide among private schools, not conducted on any common plan."

Suppose that all this were even so; suppose that the common school system is so utterly repugnant in its every feature, to the all-wise decrees of God Almighty, that either His laws must be set at naught, or else the whole common school system, with its entire paraphernalia of Lincoln School-houses, Swett's Readers, Lossing's Histories, and John Brown Songs must come toppling down. What then? Why, even then, the whole question would simply resolve itself into this proposition, namely: Is it better to obey the laws of God Almighty, or the laws of Mr. *Swett*? since it is impossible to obey both.

We know that the carrying out of these plain provisions of the natural law would not destroy anything in the common school system which is worth preserving. While the enforcement of that law would restore parental authority and place it beyond the power of a board of school directors to force upon any child, teachings and doctrines obnoxious to its parents, it would still leave undisturbed the authority of the State to provide a common school fund, so as to place the means of an education within the reach of all; and to apply that fund to the support of such schools as the parents themselves might select for that purpose.

This, after all, is the leading object—in fact, we may say the only legitimate object of a common school system, namely: to aid parents to educate their children in such manner as "*they believe will be most beneficial*," and not to force upon those children a code of instruction antagonistic to the judgments and consciences of their Heaven-ordained guardians.

If the plan which we propose, of allowing every parent to select his own teacher, and of paying every teacher according to the number of his pupils, be thought impracticable, what must be said of the practicability of the present system; of a system which proposes to force every child of every conceivable cali-

bre, from the massive brain of a Webster down to the dwarfed and pigmied intellect of a John Swett, to wear the same educational habiliments? An effort on the part of the State to force every man and lad in the land to wear hats, boots and pantaloons, precisely of the same make and size, would not be more supremely ridiculous or impracticable than the plan of forcing what they call a uniform system of education on every child that goes to school. Our talented and worthy Superintendent of Public Instruction—that soon is to be, thank God—has well and truthfully said: "Our people, representing every State in the Union, and every country in Europe, will not contentedly wear any provincial straight-jacket that may be provided for them."

Let all those who have the framing of our school laws, as well as those entrusted with their administration, keep this fact in view, and faithfully act upon it, and we shall have occasion to witness no such scenes as that which transpired in this city only three nights ago, when some 785 parents appealed in vain for a teacher of their choice, to a body of men, who never should, and never could without a violation of one of nature's highest and holiest laws, have been clothed with power to thwart their wishes.

We cannot better conclude this already too lengthy article, than by extracting another passage from the able editorial of Rev. O. P. Fitzgerald, just quoted from the *Spectator*, which says:

'Natives and foreign born, Northerners and Southerners, Catholics and Protestants, Jews and Gentiles, are all here, and all have equal rights and common interests. Can they agree on a system of public instruction that will be satisfactory to all? This is the question to be tested, and the result will determine the intelligence, the moderation and the liberality of our people.'

Let our Washington-street contemporary unite with us on this platform, and the *Examiner* and *Occidental* need never quarrel on the school question.*

**Occidental*, November 29, 1867.

CHAPTER XXIX.

WILLIE CRAINE AND THE BOARD OF EDUCATION—A BOY SEVEN YEARS OLD SENT TO THE CITY PRISON FROM THE PUBLIC SCHOOL ON A FALSE CHARGE OF STEALING JEWELRY FROM HIS LADY TEACHER.

Taken all in all, the following report constitutes one of the most remarkable attempts at white-washing an infamous proceeding that we have ever had the misfortune to witness. In the midst of the ridiculous jumble of words which go to make up the committee's report, we have sought in vain for light touching what should have been the chief subject of inquiry. It had been charged through the public prints of this city, and copied into almost every newspaper on this coast, that a little school boy, named Willie Craine, little more than a sucking infant in age, being only seven years old, had been falsely accused by a Mrs. Griffith, the principal of his school, with having stolen her breast-pin; that upon this charge, after being cruelly whipped, he had been thrown into jail, where he remained until the finding of the lost pin, in the pocket of his accuser, made manifest his innocence.

It was also charged that the house of this infant's mother had, in her absence, been subjected to a most extraordinary search with the hope of finding this precious pin.

The board of education appointed a committee to investigate and report upon these charges, and the following is the result of their labors:

“*The Case of Willie Craine.*—The majority of the committee on the case of Willie Craine presented the following report:

“To the Honorable Board of Education—Gentlemen: Your committee, to whom was referred the matter of Willie Craine, have given the matter a thorough investigation, having spent the most of three evenings in the examination of some twenty-five or more persons, to wit, all who were able to give your committee any information in reference to the matter of investigation, and with these results. We have not elicited the slightest particle of evidence to show that Willie Craine, though a very disorderly pupil, and a boy of extraordinary untruthfulness and irreliability, was ever whipped or in any way maltreated, or punished in any manner, by his teacher, by the principal of the school, Mrs. Griffith, or by the superintendent, or that he was the object of severity or harsh treatment in any respect. On the contrary, he was treated with the utmost leniency and kindness while he persisted in the most cunning

and consummate falsehood from beginning to end, going from one to another with the greatest readiness and adroitness.

"We find Mrs. Griffith, accompanied by Willie's teacher, called to see Mrs. Craine in reference to the missing pin, and not finding Mrs. Craine at home, they permitted a sister of the Craine boy to look in the cupboard and about the house, hoping to recover it from some place where the boy himself said it had been placed.

"There was nothing before your committee to show that the teachers in question participated in any way whatever in the search, or committed any act upon the premises which was not entirely proper. Failing to find the pin, and deceived by the various stories of Willie, Mrs. Griffith took the Craine boy to the Superintendent, who, with the best of motives, as we believe, volunteered his assistance in recovering the pin, for the mutual benefit of all parties. Willie Craine, after reiterating the various stories which he had told the teacher, always admitting that he himself had taken the pin, finally said that he had given it to his mother, who placed it in her pocket, and charged him to say nothing about it.

"This story, he assured Mr. Pelton and others, was a true story. The Superintendent supposing that the pin might be recovered from this clue to its whereabouts, went to the police-station, accompanied by Willie Craine, having no idea to incarcerate the boy or place him upon trial. In the station-house the boy repeated his story (his last story) in accounting for the pin. Upon this confession it was thought advisable to detain him until his mother could be had; and upon his own confession a charge of petty larceny was preferred against him by the officer in charge, and the superintendent's name given as the complaining party. Meantime, the superintendent had left to attend to other business. His detention amounted, as we learn from the Chief of Police, to one hour and ten minutes.

"Your committee, therefore, conclude that the greatest exaggeration has been indulged in by those who have undertaken to complain of the teacher, in the defense of the boy, Willie Craine. All of which is respectfully submitted.

"WM. G. BADGER.

"Mr. Pelton desired to state that he was completely misled by the boy; he believed in his last lie, namely, that he had stolen the pin and given it to his mother, and supposing that the officers skilled in detecting crime might follow up the clue, he, without the slightest idea of causing his incarceration or prosecution, went down to the police-station, accompanied by the boy. After he got down, he made what he believed was a mistake, and he regretted it. He took the boy into a cell, but he was not locked up; and on pressing the child, he got the same answer he had received before. He asked the officer what was best to do, and the officer determined to keep the boy until his

mother came for him. A charge was made against him by the officer, and he (Mr. Pelton) was made complaining witness on that charge without his knowledge. The boy was brought up next day. He (Mr. Pelton) did represent that the child should be sent to the Industrial School, and as he is a consummate little rogue, he thought so still. As the mother's answers contradicted the boy, he (Mr. Pelton) left it to the authorities. He thought to get at the truth without trouble, and had incurred blame himself."

Was there ever a more contemptible attempt at evasion than is found in the above report of Wm. G. Badger, and the accompanying statement of Mr. P.? We ask, in all sincerity, what was the chief wrong which Mrs. G. and Mr. P. were charged with having inflicted on the infant-pupil? It was not certainly the searching of his mother's pockets, nor the administering of corporeal punishment, nor even his incarceration in a felon's cell. The disarranged apparel of Mrs. Craine could soon be re-adjusted, the darkness of a felon's dungeon might, after a few short years, cease to be remembered, while the stripes inflicted by a teacher's rod would last but a day. Not so, however, with those stripes which the tongue of slander leaves imprinted on a wounded reputation. Here is a seven-year-old child charged with larceny, and that charge has been spread upon the records of the Police Court, whence it may be exhumed fifty years hence for the purpose of blasting a reputation, and mantling with shame the cheeks of those who are now unborn.

Yes, fifty years from to-day, if Willie Craine should have an enemy in the world, that enemy would desire no sweeter vengeance than to be able to say: "You, sir, were born a thief, as the police records of San Francisco abundantly testify."

We had hoped that when this investigating committee made their report, the public would be informed as to whether it was true that Mrs. G. had her breast-pin in her own pocket at the very time Willie Craine lay in jail charged with stealing it.

As will be seen, the committee find among other things that the little Craine boy was not "*the object of severity or harsh treatment in any respect.*"

Now if to prefer a false charge of larceny against an infant not yet arrived at the use of reason, and to throw that child into a cell provided for felons, and to leave the charge still standing against him after the missing property has been found

in the possession of the accuser herself, do not constitute *harsh treatment* then we should like to know what this investigating committee would call harsh treatment.

As regards the child's telling contradictory stories, who can wonder at it under the circumstances? Here is a little child not yet out of its baby clothes, which stands charged by his own nurse, as we may say, with having stolen her breast-pin. If he denies the charge, he necessarily joins issue with a person whom he has never been allowed to contradict; and he has perhaps learned from sad experience that such an experiment would necessarily be a hazardous one. By pleading guilty to the charge he could at least avoid a present altercation, and perhaps a flogging into the bargain. Having once lied as to the stealing, it then became necessary for him to lie again as to the whereabouts of the article supposed to be stolen, and being caught in that lie, the child very naturally concludes that he must lie again in order to postpone still further the application of the dreaded lash.

"But," says our worthy superintendent, Mr. P., "Willie Craine is a consummate little rogue, and should be sent to the Industrial School." Pray how did Mr. P. find out that Willie was a rogue? What did he ever steal? Surely not Mrs. G.'s breast-pin, if it be true that she had it in her own pocket at the very time it was sought for in the pockets of Willie's mother. The report of the committee does not charge that the child had ever stolen anything. On the contrary, it appears from the statement made by Mr. Cornwall, a member of the committee, that "*the child was perfectly innocent of anything beyond untruth.*"

Now, while we do not pretend to justify untruth—even in a seven-year-old boy—we do not believe, nevertheless, that every untruth should be punished by imprisonment in the Industrial School. If such a rule were to be enforced this very day, we wonder how many children there are in California who would be permitted to sleep under the parental roof to-night. And suppose that Willie Craine did tell a chunk of a lie, why should you, Mr. P., be so particularly severe upon him for it? Who knows but that the little fellow may have caught a glimpse of the minutes of the proceedings of the board of education of this city as they stand recorded for the thirteenth of June, 1865. If so, he may have read among those minutes the following proceedings, which we shall put in italics:

*“The committee appointed to examine the charges against J. C. P., presented the following report: * * **

“Fourth Charge—That on a number of occasions in his professional intercourse and dealings with the board he has been guilty of prevarication and falsehood, thereby causing the members of this board to lose confidence in him as a man, and more especially as a teacher, and forcing on them the conviction of his unfitness to have the care and teaching of the susceptible minds of the young.

*“We find that the evidence of witnesses on this charge fully sustain it; and in addition, we have the written statement and verbal confessions of the defendant, which were proven to be incorrect. * * **
The report was adopted. A motion that the report be spread upon the minutes was carried.”

The above we extract from the proceedings of the board of education of this city as we find them reported in the *Alta California* of June 14, 1865. For our part, we do not undertake to determine whether it was Mr. P. or the board of education that lied, but that there is a lie between them, there can be no doubt; and, in either event, the Craine boy can point to an illustrious example in vindication of what he has done. If the board of education told the truth, when it pronounced Mr. P. a liar, then what was more natural than for the child to believe that lying was the high road to honorable promotion, since it had elevated Mr. P. to his present exalted position, as the very chief of our city educational department? But, on the other hand, if it was the board of education that lied, who could blame the boy for doing likewise?

Is it not, we ask, a singular fact that when Mr. P. reads over the black record which he has assisted in making, in order to defame the character of this almost sucking babe, he has only to turn back a few pages, in the very same book, to find a similar record standing uncanceled and unreversed against himself? Will not the candid, unbiased reader of these two records be forced to exclaim: “Like principal, like pupil.”*

*Occidental, March 18, 1867.

CHAPTER XXX.

IGNORANCE OR MENDACITY OF THE "TIMES."

In the early part of 1867, the *Daily Times*, a newspaper of some prominence then being published in San Francisco, with a degree either of recklessness or brazen-faced mendacity truly wonderful to contemplate, while descanting on the merits of what was then known as the Idaho School Bill, said:

"Every one knows that Zach. Montgomery, speaking on behalf of the Catholic Church, and aided by the Catholic clergy, has for years endeavored to secure a division of the school fund."

Our reply to the *Times* was as follows: Thus it is, and thus it has ever been with the defenders of wrong. Being unable successfully to combat the truth with the weapons of reason, they hesitate not to assail with falsehood, misrepresentation and appeals to real or supposed popular prejudice, a position which they know they cannot successfully combat by argument.

Here are three distinct statements which it is alleged *everybody knows to be true*, and yet—as our readers know—there is not one word of truth in either one of the statements. As regards the old and thousand times refuted falsehood about our seeking to divide the school fund, either for the special benefit of the Catholics or anybody else, we deem it unnecessary to do more than refer to any one of our numerous articles defining our position on that subject. Let our contemporary either refer us to some word that we have uttered, or quote some sentence which we have written, going to prove the truth of this charge; or else let him forever cease to propagate the foul slander.

The *Times* charges that, in our advocacy of school reform, we are speaking on behalf of the Catholic church. Now we challenge this veracious journal to produce a single sentence or syllable we have ever written or spoken, touching the school question, from which it could legitimately be inferred, even by the most diseased imagination, that we were speaking any more on behalf of the Catholics than on behalf of Methodists, Baptists, Presbyterians or Jews. When we proclaim the natural and universally-received truth, that every child is entitled to the milk of its mother's breast, can it be argued that we are "speaking on behalf of the Catholic church," simply because Catholic mothers feed their children on that nourishing and life-giving

beverage? Can it be expected that the intelligent and affectionate Protestant mother will tear the nipple from the toothless grasp of her angel babe, and leave it to starve, simply because some psalm-singing, long-visaged, lantern-jawed, nasal-twanged, hypocritical editor cries out that the suckling of babies is a *Catholic* measure? And is it any more reasonable to suppose that intelligent Protestants, Jews or non-religionists will consent to withdraw all parental care and guardianship from their children, in the important matter of education, leaving the destiny of their little ones in the hands of Godless, heartless and soulless corporations, to be prostituted in mind and morals; murdered with foul air, or incarcerated in a felon's dungeon upon false charges of larceny—as was the case with little seven-year-old Willie Craine, the other day—and all for fear that if they ask for a remedy for these intolerable wrongs, some witch-drowning, Quaker-burning bigot will sing out “ *This is a Catholic measure?* ”

We now tell our bigoted contemporary of the *Times* that we neither speak, nor have authority to speak, for the Catholic church. That church has her duly authorized expounders, who have been commissioned to speak for her; but we are not one of those expounders. When we uphold the right of parents to direct and control in the matter of the child's education, we assert a principle which is applicable to all parents of all creeds, climes and countries: a principle which is older than the Catholic church or the Mosaic law, and which dates far back into the very morning-twilight of creation.

As to the aid which we are accused of having received from the Catholic clergy, we could wish that we were less able to plead not guilty to the charge. It is true that a number of the Catholic clergymen, as well as a considerable number of Protestant clergymen, have subscribed for our paper, and paid their subscriptions, and that most of the Catholic clergy, in common with very many of the more honest and intelligent Protestant clergy, are friendly to the plan of educational reform which we advocate, we are prepared to believe; but ours not being a religious organ, and fighting the school question as it does, not on a denominational basis, but on the broad ground of universal right, discussing the question sometimes from a moral and sometimes from a political standpoint, the Catholic clergy, as such, have for reasons satisfactory to themselves taken no part whatever

in the contest. We have given publicity through our paper to a number of able communications from Protestant clergymen who take sides with us on this educational question, but on no occasion have we either published or been asked to publish one line or letter from a Catholic priest. So far as the Catholic laity are concerned, if there is any class of religionists of whom we feel that we have especial right to complain for the lukewarm support which they have rendered us in our struggle for educational reform, it is this very class. We know that we speak within bounds when we say that three out of five of our subscribers are either Protestants, Jews, or non-religionists. Let any one who doubts the truth of this statement refer to files of our paper, read the names of our patrons as reported in the lists of payments received, and satisfy himself.

No, no, *Mr. Times*, this throwing of anti-Catholic bomb-shells, where you strike Protestants, Catholics and non-religionists indiscriminately, will never win. You are simply wasting your ammunition, and rendering yourself ridiculous. So prick up your long ears and try some other dodge.*

**Occidental*, February 18, 1867.

CHAPTER XXXI.

SUPERINTENDENT SWETT'S PUBLIC SCHOOL READINGS—A CHOICE SPECIMEN—HOW TO ASCERTAIN A TEACHER'S POLITICS, BY EXAMINING HIM IN HISTORY.

In 1867, two years after the close of the late terrible civil war, at a time when all right-minded people of all sections and all parties were earnestly endeavoring to heal up the ghastly wounds which the sword had inflicted on our country, Mr. John Swett, our then superintendent of public instruction, compiled and published a reading-book for use in our public schools. The book was entitled "Common School Readings," and we venture to say a viler book was never compiled to be placed in the hands of children. It is made up principally from speeches and poems of prominent radicals; and care seems to have been taken to select some of the most inflammatory and outrageous passages that the diabolism engendered by the war produced. As a specimen of these, we copy an extract from a speech delivered by A. A. Sargent, on "The Danger of Exasperating the Rebels." It occurs on page 161 of Swett's "Common School Readings," and runs as follows:

"In all ages, respect for the dead has been held to be a necessary virtue in a brave and generous character. To inflict outrage upon a slain enemy even has heretofore been confined to dark corners of the earth. Such practices are too vile and mean to be tolerated in the light of civilization. Hence the fiendish spirit of the rebel leaders is painfully apparent in the treatment of our heroic dead. They were stripped naked, and left for days unburied.

"Many were buried in trenches face downward, as a mark of indignity. Some were boiled to get the bones for trophies, and heads cut off that the skulls might be kept for drinking-cups. Many human bones were found scattered through the rebel huts sawed into rings. By acts of violence and crimes like these the rebels signalized their first victory over the army of the Republic.

"With savage and malignant hate they tortured, slew and desecrated. The monstrous treason which was commenced in perjury and theft was continued in cowardly cruelty and barbarism."

This is simply a specimen twig, plucked from the infernal fagot of incendiary falsehoods with which the man to whom the State had intrusted the guardianship of our children

sought to light up in their young minds and hearts the undying fires of sectional bitterness and hatred.

Another feature in this book of Swett's is the want of modesty which would seem to characterize some of its selections. For example, on page 169, occurs a poem of J. G. Saxe, entitled "Pyramus and Thisbe," full of low, sickly sentimentality, not to say downright obscenity. But for the disgusting character of the poem we can only refer the reader to the book, as we do not care to soil our pages by quoting it.

Thus, good reader, you behold the character of the man who for eight consecutive years wielded the educational destinies of the State of California; perpetually pouring the poison of his pestiferous imagination into the minds and hearts of our children. Is it any wonder that our State penitentiary is now crowded with young men and boys?

Not only have our school-books been written and forced into the hands of children with an eye to the lowest and basest partisan ends, but even the examinations of applicants for positions as teachers in the public schools have, in many instances, been conducted more with the view of ascertaining the politics of the applicants than of determining as to their fitness for the positions to which they were aspiring.

To this end a series of questions upon which to examine teachers were framed and adopted during the administration of Mr. Swett, of a quasi-political character, upon which questions the two great parties of the country were then honestly divided, and which radical Republicans were pretty sure to answer one way, and radical Democrats another; for example, here are a few of the questions of history which composed a part of the formula for examination of teachers:

"What was the alleged reason for the secession of the Southern States?

"The true reason?

"What and how was the great rebellion inaugurated?

"When was the emancipation proclamation issued, on what grounds, and what was the effect on the nation?

"Draw a contrast between the character of Abraham Lincoln and Jefferson Davis."

This formula was published by the State Superintendent Swett in his biennial report for 1864-5, at page 107.

These questions being furnished the applicant in advance, it

was not difficult for him to learn from some friend who had previously been through the ordeal, what kind of answers would be acceptable to the examiners; and if he honestly agreed with them in politics, or if he was dishonest enough to profess an agreement where there was in fact no agreement, in either event he would probably succeed in passing a most creditable examination, would get his certificate and at once enter upon the business of teaching the rising generation to become blind adherents to the party in power. But should the applicant chance to be neither a radical nor a hypocrite, of course his application would be rejected, on the grounds of his being defective in his knowledge of history.

CHAPTER XXXII.

ASSEMBLY BILL TO AMEND THE CALIFORNIA SCHOOL LAW, INTRODUCED BY Z. MONTGOMERY IN THE CALIFORNIA LEGISLATURE, IN 1861.

SECTION 1. Section twelve of the act entitled "An Act to establish, support and regulate common schools, and to repeal former acts concerning the same," passed May 3, 1855, is amended so as to read as follows:

Sec. 12. Upon receiving notice from the county treasurer, as provided in this act, the county superintendent shall apportion to the free public schools (as hereinafter designated), the portion of the public school moneys apportioned to them by the State board of education, after which he shall apportion the residue of the common school moneys remaining in the county treasury among the several towns, cities, and school districts, in proportion to the number of white children residing therein between the ages of four and eighteen, as shown by the last previous reports of the common school marshals and others charged therewith, and shall forthwith, in writing, notify the county treasurer of such apportionment in detail; and no school district shall be entitled to any portion of the common school moneys in which there shall not have been taught a common school for three months within the year, ending on the last day of October previous.

SEC. 2. Section thirty-three of the said act is amended so as to read as follows:

Sec. 33. No books, tracts or papers of a sectarian or denominational character shall be used or introduced in any school established under the provisions of this act; nor shall sectarian or denominational doctrines be taught therein; nor shall any of the public schools established under this act receive any of the public school funds, which has not been taught in accordance with the principles of this act; *provided, however*, that any school numbering at least thirty pupils, established or adopted by the parents or guardians of such pupils, shall have the right to apply, through a board of trustees for said school, to the State Superintendent of public instruction, to be inrolled among the public schools, under the appellation of Free Public Schools, and to receive a pro rata share of the public

school funds, subject to the following regulations and provisions:

First. That the usual branches of a common English education shall be well taught in such school for at least five hours a day.

Second. That no religion be taught therein, unless such be the will of said parents or guardians; and in no event shall such religious instructions lessen the five hours of secular education.

Third. That in places where there shall be no public schools within an area of one mile, any parent or guardian shall have the right to send any male child to said school, if it be a school for boys; or any female child, if it be a school for girls; and whenever said parent or guardian, male or female, shall object, in writing, to the principal teacher of said school, to the religious instruction given therein, upon such objection, it shall be the duty of the teachers of said school to give no religious instructions during five successive hours of secular education, and to allow said child to retire from school before any religious instruction be commenced; any school violating this provision shall be deprived of its pro rata share of the school moneys for one year.

Fourth. The State Superintendent of public instruction, or any deputy appointed by him for that purpose, the county judge, and the clerk of the county, shall visit said school at least twice in each year, and at all other times at their discretion, to examine its pupils, and vigilantly inspect its management, order and discipline. They shall also furnish the State Superintendent of public instruction and the trustees of said school with a written certificate of such visit and examination at least twice a year.

Fifth. On the first Thursday after the formation of said school, and on the last Thursday of January of every year, the parents and guardians of the pupils of said school shall meet at a time and place publicly announced at least ten days previously by the State Superintendent of public instruction, and shall elect from among themselves a president, treasurer, superintendent, and secretary, who shall be the trustees of said school for one year, and until their successors are elected and qualified. Said trustees shall appoint or remove the teachers, shall superintend the school, shall cause a regular roll to be

kept, and shall send to the State Superintendent of public instruction a formal application that said school be enrolled among the public schools of the State at its first organization. They shall also send to the State Superintendent quarterly reports of said school, with full details as to number of pupils, classes, etc., together with copies of the same annual certificates above specified. They shall also make application by their treasurer, countersigned by their president, to draw the pro rata share of the public fund, to be applied to the benefit of said school, and shall hand over to their successors all books, moneys and other articles belonging to said school.

Sixth. The State Superintendent of public instruction shall order a pro rata appropriation of the public school moneys upon such application of the said trustees, through their treasurer, supported by two satisfactory sureties; *provided*, that the said State Superintendent of public instruction, the State Treasurer and the Governor of the State, or a majority of them, shall be satisfied, from the report and certificates of said school, and otherwise, that said school has been conducted in all respects in accordance with the provisions of this section.

Seventh. On or about the twentieth day of October, of every year, the State Superintendent of public instruction shall, together with the Governor, and the Surveyor-general of the State, examine the reports and certificates of the free public schools for the previous year, and should they, or a majority of them, find such schools, or any of them, to have faithfully complied with the provisions of this section, they shall determine and signify through the State Superintendent of public instruction what apportionment of the school funds should be allowed to such schools respectively; said apportionment to be made according to the number of children attending school in the county in which said free public school may be; such apportionment shall be transmitted by the State Superintendent of public instruction to the president of the board of trustees of such free public schools, and also a duplicate of the same to the county superintendent, who shall indorse the orders for said apportionment to the treasurer of the board of free public schools by the president of the same board.

Eighth. This amendment shall have effect from and after its passage.

OPENING SPEECH OF Z. MONTGOMERY ON THE SCHOOL BILL.

On Wednesday, April 10, 1861, the subject of the foregoing bill being the special order of the day, Z. Montgomery, in support of the bill, said:

Mr. Speaker: I confess that I approach this subject with a great deal of diffidence, combined with an equal amount of interest; with diffidence, because I feel my utter inability to do justice to the subject under consideration; with interest, because I feel that there is no subject of legislation so important as that which we now have to consider; and hence I trust that every member of this body will throw aside all external influences, and deal with the question before us by the light of his own reason and judgment. I approach the subject with diffidence also from the fact that false impressions have gone abroad relative to the real objects of the bill which we are now considering; and because newspaper appeals have been made to the public, and to this body, in order, as I believe, to divert the attention of the legislature from the real objects contemplated by this bill. The subject of education is certainly one that is well worth the consideration of any government, and especially of a republican government; for, in the language of the immortal Washington: "In proportion as government gives force to public opinion, in the same proportion should public opinion be enlightened." Sir, I feel that I am now pleading the cause, not of a railroad company, not of a political party scrambling for office but the cause of hundreds of thousands—yea, of millions—yet unborn, in whose hands is to be intrusted the helm of government, when we, sir, shall have been laid to sleep in the cold grave. Sir, as we educate our youth, so we may look forward to liberty, prosperity and National happiness, on the one hand, or to tyranny and National misery on the other.

I shall, I trust in God, say nothing that will offend the sentiments, or the prejudices, so to speak, of any of my fellow-members upon this floor; and if, in the heat of debate, I should say anything that ruffles the feelings of any one, I trust he will attribute it to the interest I feel in my subject, and not to any deliberate intention on my part to offend.

What is the object of a common school education? I understand it to be, so far as the State is concerned, simply to make good citizens of the rising generation. Keeping steadily in view

this object, namely, the making of good citizens by cultivating the head and heart, so far as is necessary for that purpose, we come to another point, and that is, how far should government interfere with the peculiar notions of the parents of children, in establishing a system of common school education. There is a boundary beyond which government should not go; there is a circle within which it should operate.

Now let us examine where that boundary is. I lay it down as a principle, that the government should, for educational purposes, subject neither parent nor child to any more restraint than is necessary for the accomplishment of the desired end. In other words, that both parent and child should be left perfectly free as regards everything which does not counteract the acquirement, by the child, of a good common school education. Does anybody deny this? The government should not prescribe the particular kind of dress which the child should wear, nor the diet which he should eat. That is a matter with which government has nothing to do. The government should not interfere with the religious sentiments of any child, whether he be the child of a Christian, Pagan, or Jew. That is a matter that belongs to the parent, and to the parent alone, while the child is in its infancy, and the government should not interfere in it. And mark you, whenever the government does interfere, either directly or indirectly, with any of those liberties which belong to us as individuals, that moment she drives us from the common schools, and defeats entirely the object of the common school system. For example, suppose a system of education to be such that no member of the Methodist church could conscientiously send a child to a school conducted upon that system, is not every member of that denomination thereby deprived of all the benefits of the system? So if you establish such a system that a member of the Baptist church, or of the Presbyterian church, or of the Roman Catholic church, cannot conscientiously send his children to the schools, you defeat entirely, so far as he is concerned, the purposes of the common school system, although it might be, in other respects, the most perfect system in the world.

Again, if the teachers are such that the parents will not intrust their children to their charge, do not those parents and their children lose the entire benefit of your common school education? Non-attendance is the result whenever you under-

take to encroach upon the rights of individuals, to whatever creed or party they belong. Now, let us illustrate. How is it here in our own State? I have before me the report of the superintendent of public instruction, from which it appears that there are within the State of California 57,917 children entitled to attend the public schools; and there are but 26,993 that attend any public schools at all. Less than one-half of the children in this State entitled to attend the public schools ever go inside the doors of those schools. You may tell me, perhaps, that the rest go to private schools. But I find that there are only 5438 that attend private schools, all told; and the remainder of your children—nearly one-half—neither go to private nor public schools from the beginning to the close of the year. Here is a stubborn fact! More than one half of the object of your school system is destroyed at one fell swoop; one-half of the children of the State are deprived of the education that belongs to them; \$200,000 and more are taken from those children to whom it rightfully belongs, and transferred to those for whom it was never designed.

But perhaps you will tell me that this results from the fact that in out of the way counties, where the population is sparse, the children do not live within the reach of schools. Well, to meet that objection I will go down to San Francisco and take her common school system and see how it operates there, as that is supposed to be the center of enlightenment. I do not say this by way of throwing any slur upon San Francisco as a city. I know there are many excellent people there, and this may be one reason why their public schools are so badly patronized. I find that in the city of San Francisco there are 9,025 children entitled to attend the public schools. I find that the children, all told, who attend public and private schools, amount to 6,108, and upward of 2,000 of these attend private schools, which leaves about 4,000 of the total of 9,000 children in San Francisco who attend the public schools at all, from the beginning to the close of the year. Less than half of that proportion attend daily, and yet they have daily schools there throughout the year. They have twenty schools in San Francisco that are kept open over nine months in the year; and yet I find, attending public and private schools altogether, there are but 2,830 children in average daily attendance. I cite this as an instance. There, in San

Francisco, where the amount of money collected during the past year for school purposes was upwards of \$188,000, I find that a little more than one-third of the children reap the entire benefit of that amount of money, and the other two-thirds reap none. Is this a matter of no consequence to us? The proportion in Sacramento is nearly the same. Now let us see further into the causes which operate to deter the attendance of children upon our common schools, and, if possible, let us come up like men and remove these causes. Let us not shrink back or be appalled by the cry of bigotry and sectarianism, but let us come up and look the question square in the face. If the measure is fair and equal, if it treats all alike, whether Christians, Pagans, or Jews, and if it does remove one of the great obstacles in the way of a good common school education, I then ask you to come up like men to the work and carry it through. Now as to the causes which are keeping the children from school. I find from the reports of the county superintendents of many localities in this State, that the cause of non-attendance, in many cases, is dislike of parents for their teachers. I find in the report of the superintendent of Santa Cruz county the following: "I find almost invariably that if the parents do not have friendly feelings toward the teachers, they will not allow their children to attend." That is perfectly natural. And he goes on to say: "Some measure should be adopted to compel their attendance." To compel their attendance? What! to compel a parent to send his child to a teacher whom he abhors? Yes, that's the remedy. Now, it may be that these teachers are competent, and it may be that they are not. Let us learn from the reports of the superintendents. I read from the report of the superintendent of Alameda county, where he says: "We have a few first-class teachers, but the majority of them have need to learn. Some of them are very deficient in reading and writing, but qualified in other respects." Very deficient in reading and writing, but qualified in other respects! That is, they do not know the lower branches, but they know the higher ones remarkably well! And yet, the superintendent of Santa Cruz county would have a law passed to compel children to go to school where they could neither learn to read nor write.

But there are other causes in the way of the attendance of children at school, some of which I will inquire into. One of

them is this: We have here in California a mixed population, coming from every quarter of the globe—some of the most degraded, unprincipled and criminal amongst those that bear the name of man. They have come here from the prisons of Great Britain and France, and of every country in Europe, as well as of our Eastern cities. They mix with our population. Their children have learned infamy and crime from their parents, from the day they were born to the day when they reached a period suitable to attend school. And what is the consequence? Why, sir, the virtuous parent, after paying his taxes for school purposes, must either keep his children at home, or send them to school to mingle with the vilest of the vile. These are facts. I see the gentleman from San Francisco taking notes, and I trust he will take notes. I appeal to him, as I expect him to reply to me, to say whether, in the city of San Francisco, the public schools are not, in many instances, found to be schools of infamy of the blackest dye.

Mr. BANKS. I deny the charge most emphatically.

Mr. MONTGOMERY. He denies the charge. It is very easy to deny charges. I know this, Mr. Speaker, that the crimes to which I allude are of too infamous a character to be even named in this body. * * * And yet the most virtuous parent must send his sons and his daughters there or, refusing to do so, must submit to be denounced as a bigoted sectarian.

But I shall now turn my attention from San Francisco to her smaller sister, the city of Marysville. That is the city which has remonstrated against the passage of a bill for the bettering of the character of her public schools. I read from an article published in a late number of the *Marysville Express*. The article is a communication from a man who lived an immediate door neighbor to a common school in that city. The writer, in speaking of the character of the school, says:

“I have children, and every day of school they listen to volumes of profanity, to language that almost stinks! It may be said, ‘Keep your children in the house.’ Suppose I do, the vile oaths steal through the cracks, crawl on the floor, and leap to the ear of the innocent child, even at the family altar.”

And yet, sir, it so happens that Marysville is the only place in California that has remonstrated against the passage of this bill.

• Mr. Speaker, our constitution guarantees religious liberty to every citizen of the State. Section four of article one of the constitution of California, reads:

“The free exercise, and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this State; and no person shall be rendered incompetent to be a witness on account of his opinions on matters of religious belief,” etc.

Now, how does the school system, as at present conducted, comport with this idea of religious liberty? Does not religious liberty embrace the right of the parent to inculcate his own religious principles into the mind of his child? Is not that a part and parcel of religious liberty? And, sirs, does not this religious liberty consist as much in protecting your children from the contaminating influences of that vice which is acknowledged by all to be vice, as it does in protecting them against the peculiar tenets of another denomination of Christians? Why, if it is a question of protecting a Baptist against having his child, or children, imbued with Methodistical doctrines, you would say that is a right which he can claim. If it is a question of protecting a Presbyterian against having his children imbued with Catholic doctrines, you will say that is a right which he can justly claim, and so he can. But if it is a question of a Catholic, Methodist, or Baptist, protecting his children against the contaminating influences of vice and crime, in its most odious and horrible deformity, if he asks to be exempted from the necessity of paying taxes for the privilege of sending his children to a school that is filled with crime and immorality, then you will call it sectarianism.

We hear a great deal of complaint about parents not taking interest in the common schools of this country. It is a common complaint that runs through the reports of nearly every county superintendent of public instruction in this State. They say the parents take no interest in the subject of public education. Whilst on this subject, I will read a few appropriate remarks in this connection, delivered by the Rev. Mr. Fitzgerald, a well known Methodist minister, at Vacaville, on the twenty-seventh of February. In regard to the want of interest which parents take in our common school system he says: “We should very carefully guard against abuses that are liable to arise from the letting out of the instruction of our children by contract. Such contracts

are usually performed with an eye rather to the salary than to the public interests. The common school system, with all its conceded benefits, is attended with its dangers—one of which is the lack of interest and sense of responsibility on the part of parents. The State is left to manage the whole subject. Taxed indirectly for the support of the common schools, the parent has little feeling of ownership in them, and consequently but slight interest in looking after their management. I have known a father in this State—an intelligent gentleman, too, and a good citizen—who could not tell me the name of the teacher to whom his son was being sent at the public school.”

This is but an illustration of the complaint that is everywhere heard in regard to the want of interest the public feel in the common schools of the country. I shall endeavor to show still further why it is. Sir, go to any government upon earth, and wherever you find that the people directly interested have but little to do in any subject of government, you will find that they take but little interest in it. Go to any absolute despotism, where the whole power is vested in one man, and look abroad among the masses of the people. You will find that they take no interest in the government, simply because the government is placed beyond their reach. Now, this is a principle that applies to our common school system in this country. Who is it that has the management of the common schools? Is it the parents of children, who are directly interested in the subject, and to whom the great Creator of the universe has entrusted the care, custody, and education of those little ones? Why, your teachers are employed by a board of trustees who are elected at our general elections. Who are those trustees? Why, they are men whose names are placed on a particular ticket, in consequence of the influence that they can bring to bear on election day. Picture to yourself two individuals on election day going to the polls to vote for school trustees. The one is a high-minded, virtuous citizen, and the father of a dozen children, if you please. The other is a drunken vagabond—a man who has no interest in heaven nor in earth—a man who has neither property, children, nor reputation—and that man has as much power in determining who shall be the teachers as has this father of a dozen children, who values their welfare above all earthly considerations. In proportion, then, as you take the power from the hands of those who are interested in the subject, in the

same proportion do they give up all interest in it. The teachers are not responsible to the parents; they are responsible to the board of trustees, and the board of trustees are responsible not to the parents, but to everybody, and therefore to nobody—for what is everybody's business, we all know, is nobody's business. Thus the teachers, in the language of the Rev. Mr. Fitzgerald, look rather to the subject of their pay than to any other consideration. What is the consequence? Why, we have a class of roving, carpet-bag teachers. From the report of the superintendent of public instruction, we learn that there are in this State but 265 public school teachers who follow their occupation as a business; while, on the other hand, there are 566 who were following it as a mere temporary occupation, for the want of something else to do; 566 teachers of that class are now having the charge of the children who attend the public schools of this State. Again, in San Francisco, where they certainly have not the most virtuous population in the world, they have seventeen male teachers and fifty-seven female—fifty-seven female teachers to have charge of the boys, young and old, of San Francisco!

It may be asked how the present bill proposes to remove these difficulties. I say, first, by placing the education of children more under the immediate control of the parents upon whom the God of nature has imposed the education of their children. This bill proposes that the parents and guardians of children should select their own trustees, and those trustees should select the teachers. This brings the matter home to the parties directly interested; and if they do not, under those circumstances, obtain teachers that suit them, it is their own fault. Now let us see the advantages of this system. The bill proposes that whenever a certain number of children—say thirty or more—attend one of those free public schools, they shall be entitled to their pro rata share of the public money, no matter whether they be Catholics, Baptists, Methodists, Presbyterians, Jews, Infidels, or anything else. I deny and hurl back the charge into the teeth of those who make it, that there is one particle of sectarianism, from beginning to end, in this bill. Now what effect would this have on the teachers? Why, the more pupils a teacher could get, the more his pay would be. Is not that so? And consequently, the teacher would have an inducement to do justice to every child, and not wantonly offend

the feelings, or even the prejudices of any, lest, by driving the child from school, he should affect his own pocket. Hence, if he were a Methodist, a Baptist, a Presbyterian, or a Catholic teacher, it matters not which, his self-interest would be a strong and constant incentive to deal justly both with parent and child. Is not that plain? While under the present system established by government, the teacher, being fastened upon the community by irresponsible trustees who hold office, it may be, at the hands of an unscrupulous political party, may so treat his pupils as to drive the last one of them from school, and yet his pay would go on all the same. I would like to submit—because I expect to hear from the chairman of the committee on education—I would like to submit to him the question which he may answer in his proper time, as to what he understands by a sectarian system of education. I understand by a sectarian system of education, a system which gives the preference to one sect over another. I do not understand that that is sectarian which protects all sects and denominations alike. If it is, we have several sectarian laws already; and our constitution is sectarian, because it guarantees to every citizen the right to worship God according to the dictates of his own conscience. The constitution protects alike the Protestant and the Catholic, the Christian and the Jew. Again, we have laws which protect the church property of every denomination of Christians. Our laws do not permit a mob to invade the precincts of one of your Methodist Churches South, nor one of your Methodist Churches North, nor your Presbyterian, nor your Baptist, nor your Catholic church. They protect them all alike, and properly so. Again, the constitution will not allow a man to be interfered with in the free exercise of his religious opinions, be they what they may, so long as he does not encroach on the rights of others, or on the rights of society. Is this sectarianism? If it is not, this bill is not sectarian. Yet, the report of the chairman of the committee on education—and I say the chairman because I do not know whether or not anybody else concurred with him—although I admit there was no minority report—urges as one of the objections against this bill that it is sectarian in character. I will read from the report signed by Mr. Blair, of Monterey: “By Mr. Blair, from the Committee on Education—The Committee reported that Assembly Bill No. 348 should be indefinitely postponed, because: First, it allows private schools by

parents, or religious denominations, to receive their pro rata share of the public school fund, whether such private schools give instruction to all sexes, classes, etc., of pupils entitled to the benefits of the public school fund, or not; Second, it permits such private schools supported by the public fund to devote a portion of their time to sectarian religious instruction." What he means by "all sexes," I do not know. I don't know how many sexes they have in Monterey.

MR. BLAIR. I will simply say that the gentleman is misrepresenting the report. I will ask him to state the proposition as it is, or not at all.

MR. MONTGOMERY. I was reading from the *Union* report.

MR. BLAIR. I do not know that it is exactly correct.

MR. MONTGOMERY. I merely alluded to it by way of a side remark. I felt a little tired, and thought I would rest on the shoulders of the gentleman from Monterey for a moment. [Laughter.] But I read from the gentleman's report:

"The spirit of our institutions seems to recognize no sectarian religion whatever, further than to secure to all the free exercise of their religious faith, and to protect them in the right thereto. The children of all citizens—Jews, Pagans and Mahomedans, as well as the various Christian sects—are entitled equally to all the benefits of our public schools and public school funds, and we should make no distinction, nor grant any special privilege therein by law."

Now I call on the gentleman from Monterey, in his own good time, to tell me in what particular this bill proposes to make any discrimination between sects, or between Christians, Pagans or Jews. I say, in charity to the gentleman, that he certainly never read the bill, or he would not have talked about things that do not exist—that have no reality except in the imagination of the gentleman, and in the columns of certain newspapers. Those ideas were never drawn from this bill.

MR. BLAIR. I would like to ask the gentleman whether he asserts, as a proposition, that our government does make any discrimination?

MR. MONTGOMERY. Certainly not. And I say, does this bill do it? and if so, for what denomination does it make a discrimination?

MR. BLAIR. The report does not assert that it does. It does assert that for a portion of the time of instruction, religious

instruction of some kind or other may be given. I call the gentleman's attention to that fact.

MR. MONTGOMERY. Does that not apply equally to Christians, Pagans and Jews, Protestants and Catholics alike?

MR. BLAIR. Certainly.

MR. MONTGOMERY. Then where is the propriety of embodying in the report an argument based upon religious discriminations—where the necessity of building a straw house, of making a scarecrow with which to frighten the public? I defy any candid man to find any such thing in this bill as a discrimination in favor of any sect. If there is anything there to operate on the Jew, it operates equally hard on the Christian. If there is anything that operates hard on the Methodist, it operates equally hard on the Catholic—upon all alike. Sir, I repudiate the charge of sectarianism, or bigotry, which I find couched in this report; for if there is one thing more than another that I do abhor from the inmost recesses of my soul, it is a bigot. I would sooner permit my right arm to be severed from my shoulder than I would vote for any bill that discriminates in favor of any sect. I feel that while I have a right to my own particular religious notions, I have no right to enforce them on others; I have no right to ask the legislature to discriminate in favor of my particular views. And I tell you here, that I should deserve the condemnation, the contempt, the united scorn of my race as long as I should live, if I were to advocate a bill that contained the principle which is hinted at in this report of the gentleman from Monterey.

This bill only asks that after the demands of the State have been complied with, after the accomplishment of the prescribed time, whether five, six, or seven hours, it matters not which, and I will not be particular as to the number of hours, the bill proposes that after the time shall have expired which the State thinks it is necessary should be devoted to secular education, the children should be free, or rather that the parents should be free to have the control of their own children; and if they desire to teach them Methodism, Presbyterianism, Catholicism, or what not, they have a right to do it. Can the State deny this right? I maintain that if the State can go one inch beyond the time which she may determine to be necessary for the purposes of secular education, she can follow the child into his father's house, attend him by day and by night, and forever

shut out from his mind all such religious, or other instruction, as the parent might desire to bestow upon him. Can the State do this? Can the State, after she has had the benefit of all the time which she herself claims to be necessary for secular education, turn to the parent and say: "Although my time has expired, still you shall not have the privilege of having your children taught any religious doctrines. You may, after the school hours are over, have them taught to curse, and to swear, and to use obscene language, and, so far as I, the State, am concerned, it is all right. You can still continue to draw your school moneys, but don't you dare to contaminate them with religious doctrines, or you forfeit all interest in the school fund."

And yet you will tell me this is religious liberty; but I tell you that it is the blackest religious and political tyranny. I tell you, sir, the opposition to this bill grows not altogether out of opposition to any particular creed of Christians, but, when the bill is understood, it grows out of opposition to all kinds of religion, and I will show it. It does not strike at Catholicism alone; it strikes at Presbyterians, at Methodists, at all the denominations of Christians. I will read from an article which appeared in yesterday's *Union*, in the shape of an extract from a San Francisco paper, upon this subject. It is headed: "Tinkering with the School Laws," and refers to this same bill. To show how the thing is understood, I will read:

"No greater evil could befall our State than the creation of a law of this character, for it at once makes the State government the propagator of creeds, isms and theories, with which the political power, under our system of government, has nothing to do, and should have nothing to do. The bill under consideration allows the formation of schools, independent of the regular school authorities, to consist of at least thirty pupils, in which school religious doctrine may be taught, if the parents of the pupils so desire; and said schools are to draw their pro rata of the general school fund. Put such a law in force, and in a short time San Francisco would be filled with Methodist schools, Presbyterian, Roman Catholic, Baptist, Unitarian, Lutheran and Episcopal schools, all 'running on their own hook,' in one sense of the term, each industriously engaged in cramming the minds of the young with various church creeds and dogmas, breeding future generations of schismatics and bigots, who will have been brought up to hate and despise the religious notions of each other."

Here, Methodists, Baptists and Presbyterians are told that

to teach their own children in their own way is to breed schismatics and bigots. If that is so, the argument proves too much. Why, sir, have we not already private schools devoted to religious purposes? Are the Methodists, the Baptists, the Presbyterians, and the Catholics, willing to admit that their private schools, supported by their own funds, for their own religious purposes, are the mere instruments of bigotry and schism? If they are willing to admit that, why not abolish all religions at once? It is only one step from it. Is it a fact that all religions are but the sources from which spring bigotry, enmity, and schism? If so, the next step will be to have a constitutional amendment by which all the religious creeds are to be abolished at one fell swoop. I ask if that is not the legitimate consequence from the reasoning which I have just read. But they say that the government ought not to contribute by its money to the support of religious denominations. That is so. Now let us examine the matter coolly and quietly, like men of reason, and see whether this bill proposes to do that thing.

We will suppose there are two schools, one upon the basis proposed by this bill, and the other upon the basis of the present common school system. We will suppose that one of them is upon I street, and the other upon J street, in this city; the one a free common school, and the other a common school as now established. We will suppose there are forty children attending each of these schools. These children assemble respectively at eight or nine o'clock, if you choose, and they stay till four o'clock in the afternoon. In each of those schools, up to four o'clock each day, the time is devoted to secular education, and to that alone. But when the schools are dismissed, one of them only dismisses the ordinary classes, and calls up a Bible class, if you choose, and the children, at the request of their guardians and parents, are taught a lesson in the Testament. Now, sirs, why should not both schools draw the same amount from the public school funds? Would not both draw the same amount under the proposed system, and then how does the State support religious education? Why, sir, she has got all she bargained for. She has got her three months in the year, or six months, as the case may be, and her five, six or seven hours a day, whatever she asks for, just as much in one as in the other school, and she pays no more for it. Is not that so? She

pays no more for it, and what is the consequence of refusing this privilege? I will tell you in plain terms what the consequence is. It is to impose a penalty upon those who impart their religious doctrines to their children. It imposes a penalty, and that is the whole of it. The one school complies with the requirements of the law, and the other school complies with the requirements of the law; the one without the addition of any religious teaching, and the other with the addition of religious teaching. But the one draws its pay, and the other forfeits it. Why? Because the law imposes a penalty, not for failing to comply with the requirements of the law in giving the children a good common school education; not on that account, but because after the common school is over, after the labor of the day which the law requires has been performed, the parents see fit to have their children taught their religious doctrines. The State then imposes a penalty upon their religion, and that is all of it. And yet we are told this is religious liberty; and to doubt it is bigotry and sectarianism! If so, I prefer to be a bigot and a sectarian, and I shall glory in the name. If to plead for the equality of my fellow-citizens, so far as to allow each man to teach his own child whatever creed he pleases, be bigotry, I say that bigotry has become honorable, at least in the eyes of honorable men.

But they say that this system will split up the common school fund. Now, I beg the attention of every member while I refer to that subject. They say it will split up the common school fund, and thereby destroy its virtue and effect. Now, I am free to admit that it will split up the common school fund to some extent, and if the splitting up is a benefit, and not a disadvantage, let us split it, that is all. It is now split into several hundred pieces. Why? Because it is thought to be a benefit to split it. You do not keep it all in San Francisco, or in Sacramento. Why? Because it is thought best to send a little of it up to Marysville, where they have that excellent public school I have referred to, and a little of it to Shasta, and a little of it to Trinity, and there it is divided up again into various parcels among the children of these counties. Why? Because it is thought that such a division is beneficial. It is not always, then, that division is wrong. Let us not then get alarmed at the word "division." Why, we divide our victuals. We do not assemble, as they did in Sparta, all together to drink black

broth at a common table; but each man sits down at his own table, and partakes of his meal. But whilst we are not required to sit at one common table and drink black broth together, our children are required to sit at one common table, and drink the black broth of immorality and crime. It is that which I object to.

Let us see whether this division would not be beneficial; let us see how it would operate. In San Francisco they have 9000 pupils entitled to attend the public schools; about two-thirds of these children cannot attend these schools, some for one reason and some for another; some because their parents believe that to send their children to these public schools would be the ruin of them, both for time and eternity; others do not send their children there because they do not like the character of the teachers, or the character of the books that are employed in them; and the consequence is, that only about one-third, or a little more than one-third, of the pupils in San Francisco entitled to attend the public schools, do so. The result of this is, that only a little over 3,000 pupils receive the benefit of \$188,000, and the other two-thirds get no part of the benefit of that money. Now, it may be a good thing for that one-third to talk about the evils of dividing the school fund, but it reminds me very much of the greedy boy, who stands eating an apple, and when his brother-boy, standing by, calls for a division of the apple, he says it would be very disastrous to him to divide it, and he prefers to take it all, notwithstanding that a part of it belongs to another. So, in San Francisco, it may be considered a hard thing to take from 3000 children the two-thirds of the school fund, which does not belong to them, and transfer it to its rightful owners; and it may be hard, but I think it is fair and just. Why, suppose all these 9000 children were to go to the common schools of that city. Would not they have to employ an additional number of teachers, and build an additional number of school-houses? Would they not have to increase their expenses in other respects? So that, after all, this one-third of the children would not get the benefit of the entire school fund; but then it would be divided amongst the whole 9000. Now, if it is to be divided, or rather if it ought to be divided, what matters it whether we all go to drink out of the same dish, or whether it be divided into smaller parcels, to suit the tastes, the interests, and the wishes of those to whom it belongs?

Again: You go into the country, you take a school district where, say, there are seventy-five children. Now, let us see how it would operate there. Your common school is already established; it has its school-house built. Suppose a private individual at the instance of parents starts another school upon his own account. Suppose that fifty of the seventy-five children leave the public school and attend this free school established under this act. You may say it will break up the other school. Perhaps it will; but if it does not meet with the approbation of those whose children are to be educated, ought it not be broken up? Is it not better that the school should stand which is agreeable to fifty pupils and their parents, than that which is agreeable to only to twenty-five and their parents.

Sir, there is but one means by which the proposed system can interfere with the present system, and that is by competition. Now I believe in competition in all things. But how unequally do these competitors start out in the race! Why, sir, the present common school system starts out with buildings already erected of the value of nearly half a million of dollars. The common school sets out already fully organized, with officers all elected. The public school system sets out far in advance; and it is proposed now to do what? Not to break up that system by act of law; not to abolish the system by virtue of this bill; but to plant another system alongside of the one which already exists; to plant a free system, one which places the care of the education of children in the hands of parents; to plant that alongside of the sturdy oak of the present system of common schools. Now I submit this question: If the system proposed is inferior to the one already established, would it not go down in the competition? Let the common school be maintained, if the people like it better. But if they prefer the system which it is proposed to establish, if that meets with the more favor in the eyes of the public, then a competition is created between the free school proposed by this bill and the common school now in existence. The former may draw the pupils who now attend the latter class of schools, and there is all the fear and all the difficulty with regard to this bill. But, let me tell you, that if any system cannot stand on its own merits, it ought not to stand with the support of the law.

The subject is one full of importance and interest to us. We are now laying the foundations of a government. We are start-

ing out in our career as a people, and it is all important that we start right. It is all important that we should come up to this work with an eye single to the welfare of posterity. I know that the howlers of the press will cry "bigot" and "sectarian." But I have learned to despise calumny, come from what source it may. I have been told that my advocacy of this measure is to be my political grave. If that prediction be true, I only have to regret that I am not worthy of so honorable a tomb; for I believe that the green sod grows not upon the grave of a hero who died battling for a nobler cause than that for which I am now appealing to you. Sir, Sacramento has acted wisely in time gone by. Profiting by experience, she has taken the precaution of erecting a levee round her entire limits, for the purpose of turning aside the turbid waters as they sweep down from our mountain heights and flood our valleys. Let us profit by her example. There is a torrent far more turbid and pestilential than that which is now flooding our valleys and threatening to inundate our capital city.* It is the torrent of vice, of immorality and crime. Its sources are to be found in Europe, in Asia, and America; in the prison walls of London, of Paris and of New York. From a hundred thousand streams there is pouring in upon us a flood of crime and turpitude such as never cursed a people since the world began. And if we would act wisely, it is high time for us to begin the work of building around ourselves, and around our posterity, a moral levee that will protect both ourselves and them from the poisonous waters of crime and iniquity.

Sir, in the course of my remarks I have endeavored to confine myself to the point at issue. I have endeavored to touch the prejudices of no one, and if I have been so unfortunate as to have wounded the feelings of any, all I have to say is that I ask his pardon. I have been actuated by a sincere desire to promote what I regard as the most important cause that ever engaged the attention of a deliberative body.

*At the time this bill was under discussion, the whole Sacramento valley was under water, and the city was only protected from inundation by her levees.

CHAPTER XXXIII.

CLOSING SPEECH OF Z. MONTGOMERY ON THE SCHOOL BILL, DELIVERED IN THE ASSEMBLY OF THE STATE OF CALIFORNIA, APRIL 23, 1861.

MR. SPEAKER: Before this bill comes to a vote I desire to make some further remarks relative to its merits. In doing so I shall endeavor to reply to some objections which have been urged to the bill by its opponents. And, sir, I regret to be compelled to say that these objections, as they appear to me, come supported neither by facts nor arguments, but solely by prejudice.

We are met at every stage of this discussion by the charge that this is a Roman Catholic bill. We are told that the petitioners asking for the passage of this bill are Roman Catholics. I much regret that this discussion has taken this turn; but, sir, is it as a matter of fact true that all the signers of the petition asking for the passage of this bill *are* Roman Catholics? I confess that I have not taken the pains to go through this list of some 14,000 names for the purpose of satisfying myself as to the particular religious predilections of every man whose signature is attached to the petition; for me it is enough to know that they are American citizens of the State of California. I have never stopped to inquire whether they were Protestants, Catholics, Jews, or Mohammedans; but, sir, I have glanced at a few of those names, and amongst the few personally known to me, I assert as a fact that there are at least as many and as prominent names of non-Catholics as of Catholics. I find on this petition the names of some distinguished Protestant ministers of the gospel. Among these I may mention that of the Rev. Mr. McDonald, of the city of Stockton, an Episcopalian clergyman. I am also informed that the name of Rev. Mr. Ricks, a prominent Methodist minister of Calaveras county, as well as the names of other eminent Protestant ministers, stand appended to this petition. But, sir, if these petitioners are simply asking for that which is right and reasonable, what matters it whether they are Protestants, Catholics, Jews, or non-religionists? Why, sir, when I look back to the pages of my country's history I learn that the liberties we enjoy were purchased not alone by Protestant blood, nor Catholic blood, nor by the blood of non-believers, but by the blood of freemen of

all creeds and of no creed whatever. I find, sir, the name of John Hancock, a Protestant, and that of Charles Carroll of Carrollton, a Roman Catholic, appended side by side to the Declaration of American Independence; I find that George Washington, a Protestant, and Lafayette, a Catholic, fought side by side under the same ball-riddled banner for those liberties which we now enjoy. History tells us that throughout the memorable and sublime contest for American Independence, the Puritans of Massachusetts, the Episcopalians of Virginia, the Huguenots of South Carolina, and the Roman Catholics of old Maryland, side by side and shoulder to shoulder met the battle's shock and poured out in one common stream their hearts' warmest blood, in order that we, their descendants, might be free. Then shame, shame upon us, the degenerate children of those noble sires, when we undertake to reproach and stigmatize each other because of our differences of religious belief.

* * * In discussing this question, I propose to deal with it on its merits. When a petition comes here asking the passage of a bill for the removal of alleged grievances, what is our duty? It is not to inquire whether the petitioners are Catholics or Protestants, but whether, as American citizens, their prayer is entitled to our consideration. Why, sir, if a highwayman attacks a clergyman whilst traveling on the high road, and robs him of his purse, and the clergyman makes a complaint before a magistrate, is it the business of the magistrate to inquire whether he is a clergyman, or whether he is a Catholic or a Protestant? Is it not sufficient that a crime—a wrong—has been committed, to warrant an investigation? So it is in the present instance. By that rule I propose to treat this subject. I do not care whether a single Catholic signed that petition or not. God knows I ask nothing on that score. And I want every member on this floor to consider the matter in the same light. I want this bill treated exactly as if every man who signed that petition was a member of another church than the Catholic, or of no church at all. No man on this floor asks anything for the bill on the ground that the signers of that petition, in whole or in part, are Catholics. We ask a fair consideration of the measure, treating the petitioners simply as American citizens, nothing more, nothing less.

The business of the legislature is to so shape every law that while having an eye to the general good, it will do nothing to

conflict with the conscientious convictions of any American citizen, whether Protestant or Catholic, Jew or Gentile. It has always been the policy of our government, in the shaping of its laws, to respect the conscientious convictions of its citizens.

For example, our law in prescribing the manner in which an oath shall be administered, having regard to a particular class of religionists, provides that those who do not believe it is right to swear by the name of their Maker may affirm. And why? It is because an affirmation, while it answers the same purpose as an oath, does not offend the conscience of the affiant. Now, sir, I assert again that there are many of our citizens, Protestants as well as Catholics, who will not send their children to your public schools, as they are at present constituted. I ask you, gentlemen, to look around in your towns and cities, and say whether this is not true. I know it is not so bad in the country. I know that the rural populations are differently constituted from the people of the cities; that they are not so much accustomed to vice or to being brought into contact with contaminating influences to the same extent as are the inhabitants of your large cities. But I do know, as I have said before, that many citizens, Catholics, Protestants, and unbelievers, cannot, in certain instances, send their children to your schools, consistently with their conscientious belief. And why? Because they fear contamination. And I appeal again to those who have knowledge of the extent of that feeling as it exists in the cities of this State, to say whether what I tell you is not true. I know it, sir. It is charged that my assertions are too severe upon the common schools of this State. Sir, I wish I could believe that I had overdrawn the picture. Whence came our common school system? It was brought here from the Eastern States, and in order to obtain a correct knowledge of its merits, let us go back and see how it has worked there.

I hold in my hand a pamphlet which has been before referred to, which contains extracts from the *New York Dispatch* and the *New York Tribune*, of as late a date as 1858, showing the conduct of some of the schools of that city; and when we learn what kind of fruit the original tree produces, we may form some idea as to what we have to expect from the scion. I will read from an extract taken from the *New York Dispatch*, published in 1858:

* * * * *

“Prostitution in the public schools—Oh! that we had gone to reside in the backwoods, or been buried among Hottentots, ere we had felt constrained to write that startling caption, and print what will be found beneath it. If we are to have our children instructed under the auspices of the abandoned of both sexes; if our very schools are to be converted into instruments of harlotry; if courtesans are to teach the young idea how to shoot, we had better adopt the creed and practices of Mormons at once. We were anxious to disregard it; we have tried to throw it overboard; we have endeavored to force a disbelief of its contents; we have made every effort to convince ourselves that such a horrible state of affairs cannot possibly exist; but all these endeavors have resulted in a conviction that it is our duty to bring the matter before the public. In short, the character of the source from whence the information comes, leaves no room for a doubt as to the sincerity and integrity of the writer.”

A portion of the communication to the *Dispatch* is given as follows:

“It appears that the object of some who seek an election to the school board is not only to raise the wind, whereby they may live in splendor and fare sumptuously the remaining years of their lives, after they had become politically defunct, but also a desire to satisfy their carnal appetites at the expense of the honor of some of the weak-minded engaged in teaching the female youth of the city.

“Does the public doubt that a school commissioner or trustee can succeed in obtaining a mistress from among the many female teachers employed? If so, doubt no longer, because, unfortunately for truth and virtue, and for the frail victims of their lust, they are too often successful. And for what consideration do these deluded creatures become the willing sacrifice to a scoundrel’s beastliness? Ambition! Aye, elevation from the position of a virtuous subordinate to that of a crime-steeped principal. In the ward in which I reside there exists at this time an exemplification of the truth of my assertions, and the fact is notorious that the commissioner who holds a prominent position in one of the most important committees of the board, required all who made application to be appointed teachers, to submit themselves, not to an examination as to the capability of the applicant, but to a personal inspection by his fair inamorata! If the applicant’s personal appearance pleased this queen, she received an appointment; if not; the applicant was told that her examination had not proved satisfactory and she could not be appointed.

“The remedies that have been resorted to periodically, to rid ourselves of present and to prevent future grievances, have proved abortive.”

On which the editor of the *Dispatch* comments, as follows:

“What answer can be made to this charge, or rather, these charges? The purity of our children is too sacred a trust to be trifled with in the minutest particular; we could pass in silence the many short comings, not only of our present system of city school education, but of the manner in which it is administered. We could, perhaps, forgive the aggregate inefficiencies of many of the commissioners and trustees, and submit in silence to the inutilities which are apparent from their incompetencies and rapacities, but we cannot submit for one moment to even a bare suspicion that the children, for whose education the inhabitants of Manhattan Island are taxed over \$1,000,000 per annum, are contaminated by the touch of lewd and lascivious preceptors, supposed to be virtuous, or glared at with libidinous eyes by lechers in educational office.”

Sir, there is a picture of the common schools of New York, drawn by the New York *Dispatch*, upon what it says is unquestionable authority.

The New York *Tribune* vouches for its correctness, and goes into details to prove the general conclusions drawn. Sir, is it not a fact that we have imported almost every other crime from the Eastern States? And is it a fact that in this particular we are entirely clear? Is it a fact that whilst we have imported the convicts, murderers, forgers, and burglars of New York and her sister states, we have, under the same school system, none of their lecherous villians in our common schools? If so, all I have to say is that we are peculiarly fortunate. * * *

And how is it sought to clear away the charges which are preferred against our public schools? Why, I read the other day in the communication of a correspondent, writing from San Francisco, a long article on this subject, in which he proposed to establish the purity of their schools by having the legislature go down—all except my humble self—and inspect those schools and see for themselves whether they are immoral or not. Now, sir, is it very probable that if the legislature were to adjourn and go down to San Francisco in a body for that purpose, those schools would prepare themselves to make an exhibition of the immoralities which have been charged upon them?

There is another mode of proof suggested. I find in the *Bulletin* of the other day an article to which the author subscribes himself “A Catholic,” and he proves the purity of the San Francisco schools by stating as a fact that one of the schools is

kept in the basement of a Roman Catholic Church, and, therefore he thinks they are all right. And the writer says he is "A Catholic!" And he seems to pity me because I do not take liberal and comprehensive views of matters like himself.

Whilst some have combatted these charges, others have partially admitted their correctness. But it is contended that the remedy is to be found in the system itself, and they say we must not think evil of the system. Now, sir, it is upon that ground that I propose to meet this question, and I say that the remedy cannot be found in the system, because the evil is in the system itself. Why, sir, look at New York and Massachusetts; look wherever common schools are conducted upon the same system as ours are.

Is crime growing any less? Go to your eastern penitentiaries and tell me if they are not more crowded to-day than they ever have been before! Go to your eastern cities, and tell me if there is not more prostitution, more fraud, more robbery, more forgery, more murders, more bribery and more corruption in high places, than ever existed since our Government began.

Reflect on these things. I tell you there is not a crime which has not infested our Government, polluted our sanctuaries of justice, and contaminated our legislative and executive bodies, until the Government seems upon the verge of anarchy and ruin.

Sir, I say that the remedy is not to be found in the system itself, as it now is. Here in California, as in New York, the dominant political party elects school trustees.

I do not care whether they are Republicans, Democrats or Know-Nothings. Whichever party is predominant, elects the school officers. How is it in New York under this system? Why, from the article, a portion of which I read, it will be seen, that in order to reward them for their political services, dilapidated and ruined politicians are given places in connection with the schools. It may be a school commissionership, or a teachership—the old politicians must be rewarded. There is no one so degraded in the scale of humanity, but must be paid back for his distinguished political services in time of election. And thus it is that our schools have been going down and down, till they now seem to be under the rule of the prince of darkness himself.

It is contended that the system proposed by this bill will introduce sectarianism.

Have we not sectarianism now, under the present system? Have we not both sectarian and partisan political books in use in our schools now?

As has been suggested, the dominant party, whether in religion or politics, in any community, will control the election of school trustees, and those trustees will control the appointment of teachers. Is not that so? Those trustees hold their offices from the dominant party; the teacher holds his place directly from those trustees, and, therefore, indirectly from the dominant party.

Whatever the dominant party requires the teacher to do, he is interested in doing. If the dominant party requires him to teach atheism, he will do so; and why? Because it is his interest to teach atheism. I have learned, Sir, to distrust human nature when its duty runs counter to its interest. We have been told that we must prevent improper teaching in the public schools, by legislating good books in, and bad books out of the schools. But what matters it what kind of books you put in the schools, unless you place them in the hands of proper teachers? Why, suppose you place the Bible in the public schools, to be taught by an atheistical teacher who depends upon an atheistical board of education for his position, and consequently, for the very bread that he eats. Will not such a teacher, under such auspices, teach his pupils to despise and revile the sacred book? But if, on the other hand, you take the Koran for a text book, and have a Christian teacher, holding his office from a Christian board of trustees, you would have little to fear. So, likewise, if you put into the schools the Dred Scott decision, and have a Republican teacher, he will teach the children to condemn that decision. But if you put there the speeches and doctrines of William H. Seward, and have a sound Democrat for a teacher, you need not fear the influence of those doctrines. If you have a public school teacher who really desires to imbue the minds of your children with his own political religious or irreligious sentiments, he can and will do it. Under our present system there is no security for minorities. I care not whether the rights of such minorities are of a religious, political or social character; and why? *Because minorities cannot control* in the matter of selecting the teachers who are to educate their own children. But how different would it be in a school organized in accordance with the provisions of this bill.

Then, instead of the interest of the teacher coming in conflict with his duty, his interest would—as suggested in my opening remarks—become a constant prompter to duty, since the amount to be drawn by the school from the public treasury, would be in proportion to the number of scholars attending such school. Let the teacher even be a Mormon, if you please; such Mormon would not stand in the way of his own interest. And what is his own interest? Why, to have the largest school he can get. If such Mormon teacher attempts, while teaching my children, to imbue their minds with Mormon doctrines, I will instantly withdraw those children from school, and thereby lessen his pay.

His own interest will therefore prevent his attempting anything of the kind. Why, even in private schools under the exclusive control of religionists, we seldom hear any complaint about sectarian teaching. And why? Because the teaching of sectarian doctrines against the parents' will, is to drive the pupil from school.

Sir, this petition, which comes here numerous signed sets forth the fact that the parents of many children in this land, cannot conscientiously send them to the schools as now conducted. Do you believe them, or do you not? If you do not believe them, what right have you to disbelieve what they tell you? Besides these petitioners, there are hundreds and thousands of men whom you will meet throughout this State, who will tell you they cannot patronize the schools in your cities and towns, as they are at present conducted. Not because they claim that their children are by nature any better than others—but they mean to say this: that they have not the same confidence in the public schools that some others have.

If any think that system a good one, let them patronize it. If others think it is a bad one, why compel them to patronize it? Sir, I was astonished to hear a gentleman who advocated the other side of this proposition, say, that whenever we get our common school system fully organized, and have free schools all over the land, he would be in favor of compelling parents to send their children to school. What? Compel parents to send their children to school, and not allow them any choice in determining what that school shall be?

MR. CONNESS. I dislike to interrupt the gentleman when he is speaking, but he must not misrepresent me. I distinctly

stated, that, when the schools were in a condition to impart a correct education to children, I would then vote for a law to make it obligatory on parents to send their children to some school. That was what I stated, sir. The parent might choose whether the children should attend a public or private school.

Mr. MONTGOMERY. I would inquire of the gentleman, what he would do in case a parent was not able to send his children to a private school, and his conscientious convictions would not allow him to send them to a public school?

Mr. CONNESS. I think that "conscientious convictions," to use a very vulgar phrase, ought to be "played out." Such cases I consider to be perfect and complete humbug.

Mr. MONTGOMERY. I am aware there is a class of men in the world who believe conscientious convictions are "played out." For myself, I believe whenever they are "played out" the human race will be played out also.

Mr. CONNESS. I will say, sir, that I have the highest respect, under all circumstances, for the conscientious convictions of my fellow men. But, if a man says he has a conscientious conviction upon a certain thing with which conscience has no connection, I have my own opinion of what that man means. I am of the opinion, to come directly to the point, that when there are good public schools, free and open to all, in which no sectarian doctrine is taught, and where all the common branches of education are taught in the best possible manner, he who has conscientious convictions against sending his children, while he is unable to send them anywhere else, ought to have a guardian appointed by law for his offspring.

Mr. MONTGOMERY. Will the gentleman allow me to ask him a question in this connection?

Mr. CONNESS. Certainly.

Mr. MONTGOMERY. I would inquire, then, who is to be the judge as to whether a school is suitable to the conscientious convictions of a parent, or not?

Mr. CONNESS. I reply to that by saying that in every country on earth there are parents in multitudes who are not competent to judge as to whether a school is fit or unfit for their children; for the reason that they never had any education themselves, and consequently know nothing about the matter.

Mr. MONTGOMERY. That does not answer my question. I asked the question, who was to be the judge of the parents' conscience?

Mr. CONNESS. I, as a public servant, would be a judge in some cases. I would—as we did in providing a State reform school for children who are without the direction of parents, or have parents who are not fit to have charge of them—establish a public receptacle where such children could be trained and educated by the public agents. I would have provided for yet another class of children, whose only crime is being poor—a crime most of us are guilty of, by the way—the very highest order of schools; I would invite parents to send their children there; and would compel them to send them either there or elsewhere. I would make it obligatory as the fiat of Heaven, that every child should have some class of education.

Mr. MONTGOMERY. I had thought, sir, that the days of religious persecution had gone by. I had thought that there had been enough blood spilt to satisfy the cravings of the god of religious bigotry and intolerance. I had thought there had been sufficient lessons taught in the countries, both of Europe and America, upon the subject of coercing the consciences of men. But it seems that I was laboring under a pleasing delusion. Sir, let the government proceed (as at present) by mere force of a numerical majority to establish a system of common schools over which the minority have no control, and then let the government attempt to compel by adequate penalties, an unwilling minority in violation of their conscientious convictions to patronize those schools, and I tell you that a fruitless persecution would be the only result. Why, sir, do you suppose that the mother who prizes the chastity of her daughter would for the fear even of death send that daughter to such schools as those referred to in the city of New York? There is a sentiment in the breast of every human being, be he white or black, who values the chastity of his daughter, which will bid him brave the rack, the gibbet, or the stake, rather than place that chastity in the path of danger. I tell you, gentlemen, I tell the State, I tell the world, that, for myself, no law exists, nor can there ever be a law enacted which can compel me to send *my* child into what I regard as a school of vice and iniquity, merely because the law by a kind of legal fiction pronounces it good.

Sir, they talk about a union of church and State. Tell me how you can more effectually and disastrously unite church

and State than by allowing the government to determine what is proper for the conscientious approval or disapproval of its citizens in the matter of educating their children. Why, sir, did Nero exercise any greater tyranny and intolerance than this, at the time he deluged Rome with Christian blood? *He* also said that conscientious convictions were all a humbug. Did the persecutor Julian, who made rich the soil of his empire with the blood of its best citizens, do more than decide that the State had a right to determine when the conscientious convictions of its citizens were right, and when they were wrong? Why, sir, upon this theory the Presbyterian conscience might rule the land to-day; to-morrow it might be the Roman Catholic conscience; the next day it might be the Methodist, and so on without limit. I repudiate any doctrine which asserts that the State has a right to control the consciences of its citizens. Impose any other burden you please upon the parent of the child. Bid the mother pluck her infant babe from her breast, and cast it screaming into a lion's den, and perhaps she may heed the order. But never, *never* say to that mother that she must hazard the virtue of her child by placing it under the tuition of one whom she even suspects of immorality, for I tell you, if she be a true mother, she will never obey your command.

How beautifully, sir, does the plan of education proposed by this bill accord with the system of republican government, and of religious and political liberty? It proposes, as we have seen, that any number of citizens who have a sufficient number of children, may form their own school. They may have their own teacher. They must conform to the law, so far as the teaching of the school is concerned, and when they have done so, they shall be entitled to draw their pro rata. Thus you make the parents willing to patronize the schools. They pay their school tax with a good will. Why? Because they are convinced that it will be expended in a manner beneficial to their children. Now, suppose there are 20,000 or 25,000 citizens in this State who are opposed to the present school system, and I doubt not there are more than that number — men, too, of all creeds, and of no creed at all; and suppose it is necessary to vote a tax to support the schools under this system, do you expect those 20,000 or 25,000 citizens to vote in favor of such a tax? Can you expect a people to tax themselves against their will? On the contrary, when there is as now a

large body of people in our midst who are utterly opposed to the school system, will they not vote against the tax every time? How can you help it? Tell me, how are you going to compel them to vote for this tax? How much better, then, would it be to adopt some plan which would render the people satisfied with their school system, and by which every man could feel that he had a personal interest in the matter.

By the establishment of free public schools upon the plan proposed in this bill, you would likewise improve the character of the common schools as now established. Plant the two systems side by side, and what do you do? Why, sir, you create a competition between these rival systems. The free schools now proposed to be established, would draw off a part of the children and patronage of the present schools, and thereby stimulate the friends of the present schools to energetic efforts, in order to regain their lost pupils, and retain those that are left. Why, sir, be afraid of the proposed system? It is a voluntary system. It is forced on nobody. There is not a citizen in the State who will be compelled to adopt it, and when adopted by others, no man will be forced to send his children to its schools if he prefers the present system. Gentlemen say there are only a few in the State who desire it. What of it, if it be true? If only a few desire it, then only a few will adopt it. Why distrust the people? Are they capable of self-government, and yet incapable of selecting schools for their children? If, as is sometimes alleged, only a small number of citizens desire this change, then the injury to the present system, which is so much dreaded, can be but trifling. But, if on the other hand, it be contended that a considerable portion of our citizens would adopt the proposed system, is not this an admission that the present plan of education is distasteful to a large portion of our people? It is simply impossible, sir, that the proposed system can succeed unless it is popular. * * * But it is said that by compelling the children all to attend the same schools, you create a spirit of sociability and fraternal feeling among our people. Why, sir, we have heard of governments where they have established churches, and where all the people are required to attend the same service, but does this beget brotherly love among the people? Does it not, on the contrary, beget strife, bloodshed, and civil war? Whenever you attempt to compel men to come up to one standard of

morals, or religion, you will, to a certainty, engender strife and bitterness. Is not that so? Can it be gainsaid? What is true of churches, is equally true of schools. I tell you that parents who have not confidence in the moral tone of your schools will never patronize them. You may enact your penal statutes; you may fine and imprison; but you will never compel parents to patronize your schools against the dictates of their own consciences. It is not by driving the people, by force of law, all to the same sanctuary, but by allowing them to choose, each for himself, what church he will attend, that you create harmony and sociability. One man goes to the Methodist Church South; another to the Methodist Church North; another to the Presbyterian church; another to the Baptist church; another to the Catholic church. They each attend to the services of their respective churches, and then come out and meet in good fellowship. But undertake to drive them all into one church, and then comes trouble. It is freedom, liberty and equality that create sociability and good feeling among the people. You attend your church, and I will attend mine. You patronize the school you like, and I will patronize just such school as I like; and we will get along harmoniously together. We are, each and all, amenable to God, and not to the State, for the good or bad choice which we make, whether it be in the matter of church or school.

CHAPTER XXXIV.

SHORT ADDRESS TO CHILDREN—HONOR THY FATHER AND THY MOTHER.

Have you ever reflected seriously, youthful reader, upon this injunction: "Honor thy father and thy mother?" An injunction most emphatically dictated as well by the voice of reason as of revelation. Consider, for one moment, how justly your father and your mother are entitled to this honor. It is to them, under Providence, that you owe your birth, your very existence; and, after birth, who can say what would have been your fate, but for their protecting care; how many sleepless nights have they passed, how many anxious thoughts have they experienced on your account; who but they first taught your childish feet to walk, and trained your unpracticed tongue to lisp in broken accents the first emotions of your infant mind; who but they first pointed you to the charming beauties of surrounding nature, and told you of that God, that Heaven, and that eternity which await you beyond the grave? Does not every morsel of food that you eat, and every article of apparel that you put on, proclaim in unmistakable accents, 'honor thy father and thy mother?' How often have they endured fatigue and hunger and heat and cold and wind and rain, in order that you might be fed, clothed and sheltered from the inclemency of the seasons? nor will their solicitude for your welfare ever cease, but with life itself.

As the setting sun gilds with his last declining rays the tops of our tallest mountain pines—his favorite forest children—while at the same time he ascends, robed in all the splendor of the morning, to greet the mighty ocean of western waters that roll beyond, so, when the parent shall pass from time to eternity, his last expiring thoughts will rest upon his children, while the spirit, clothed in the habiliments of immortality, will rise like a new-made orb to meet its God, and to shine forever amid the boundless realms of everlasting bliss. Even from its celestial home will that parent's spirit whisper back the words: "Honor thy father and thy mother."*

*Occidental, October 29, 1864.

NOTE BY THE AUTHOR.

SINCE completing this volume, the writer has come into possession of a book published by a California author, intended for, and now being introduced into, our public schools as a class-book, entitled "Manual of American Ideas." We cannot notice all of these remarkable "American Ideas;" but must not omit to mention one. The author undertakes to justify our present State system of education, chiefly on the ground, that it is cheaper for the State to prevent crime by the education of children, than to defray the cost of the judges, juries, jails, policemen, prosecuting attorneys and penitentiaries, which are necessary for the arrest, trial and punishment of criminals. Now if, as shown by our published tables, the six New England States after a 200 years trial of the State system of education had one native white criminal to every 1084 native white inhabitants, while six of their sister States, after a similar trial of the parental system, had but one criminal to every 6670, we would inquire how much money New England saved during those 200 years in the cost of judges, juries, jails, etc., by reason of her State education.

Will the learned author of "Manual of American Ideas" answer?



INDORSEMENTS

OF

DISTINGUISHED CATHOLICS, PROTESTANTS, AND NON-RELIGIONISTS.

THIS work being designed as a short series of philosophical and statistical essays on the School question, written exclusively from a parental standpoint, no special ecclesiastical approval has been thought necessary; and yet the following testimonials abundantly show that the work is not considered irreligious in tone by those well qualified to judge in such matters. The author's object has been to touch a responsive chord in the heart of every intelligent reader, be he Catholic, Protestant, Jew or non-religionist; and the following high and equally cordial indorsements coming from distinguished divines of different religious denominations, and eminent scholars and scientists, of no particular religious persuasion, indicate a most gratifying realization of this, his leading idea. Below will be found: First. Some indorsements from eminent Catholic sources; and, Second, a number of Protestant and secular opinions not less commendatory:

The RT. REV. EUGENE O'CONNELL, Bishop of Grass Valley, writing to the author from Marysville, under date of March 15, 1878, says:

“MY DEAR MR. MONTGOMERY: On this memorable day—the Ides of March—I have revised your admirable book entitled POISON FOUNTAIN. I only wish that every American citizen interested for the welfare of his country, and all parents whom God has blessed with children, would read it attentively. Your arguments in behalf of the rights of parents to control the education of their children, are, in my opinion, unanswerable.”

The following indicates the views of the RIGHT REV. BISHOP BLANCHET, of Vancouver, concerning the POISON FOUNTAIN:

" BISHOP'S HOUSE, VANCOUVER, W. T. }
April 8, 1878. }

"ZACH. MONTGOMERY, Esq., Oakland, Cal.

"Dear Sir: The Rt. Rev. Bishop Blanchet directs me to thankfully acknowledge the reception of your more than timely work entitled 'THE POISON FOUNTAIN,' and to state after a careful perusal of its contents, he does not hesitate in saying that the sound arguments that pervade the book throughout, and the official statistics that grace its pages are incontrovertible. Indeed, if every tree is known by its fruit, the system of public schools in this country is evidently defective, and fraught with great dangers to the morals of the rising generation. Hoping that your praiseworthy efforts in so good a cause may meet with all the success they so richly deserve,

"I remain, yours most respectfully,

"J. B. BOULET, Bishop's Secretary."

The following is a part of the very cordial indorsement given to the "POISON FOUNTAIN," by REV. EDMUND J. YOUNG, S. J., in a letter addressed to the author, dated at Santa Clara College, March 19, 1878:

"DEAR ZACH.: Your little book was put into my hands on last Saturday, the eve of St. Patrick's Day, and it has been devoured. It was a rich treat. I opened it at random. It chanced to be page 58. I was so interested that I had to keep right on, so that I read the last part first and the first part last. I became so absorbed, that although I had to preach the panegyric of Ireland's patron saint on the next day in San José, I forgot all about St. Patrick, and that God is good to the Irish; and read on into the 'dead waste and middle of the night.' Your style is excellent. It is nervous, racy—incisive. It is better than Junius's letters. It is equal to that of Dr. Marshal or the lamented Brownson."

REV. M. WALLRATH, Editor of *The Catholic Parents' Friend*, writing to the author from Colusa, of date March 6, 1878, says:

"I congratulate you most heartily on the issue of your excellent work on education. May God reward you richly with all blessings. The book will do immense good, without doubt. It will put high minds to pondering seriously, and the leaders

of public opinion once being turned, the public itself and government must follow. If envy were allowed, I would envy—almost—your striking term “anti-parental.” It alone weighs your whole book in gold. It hits the monster in its most vulnerable, I may say, its only vulnerable place. I shall do all in my power to gain readers of your work.”

REV. BROTHER JUSTIN, President of St. Mary's College, San Francisco, on March 30, 1878, wrote as follows:

“HON. Z. MONTGOMERY—My Dear Sir: A thousand thanks for your excellent and invaluable book. I would have thanked you sooner, but was anxious not only to read, but to study it. I have read it and am studying it. I feel that no parent who reads it dispassionately can help coming to the conclusion that the great work of the day for the well-being of children is their proper education. If parents only knew the terribly destructive evils that flow, and must flow from a system of education from which both religion and parental influence are eliminated, they would at once apply the remedy.

“The man, sir, who has the moral courage to place the truth before their eyes, is indeed a hero. God alone is able to reward you for your noble efforts in the cause of religion and society.”

EX-GOVERNOR PETER H. BURNETT, of California, the author of “The Path which Led a Protestant Lawyer into the Catholic Church,” thus indorses the “POISON FOUNTAIN:”

“SAN FRANCISCO, March 22, 1878.

“Z. MONTGOMERY, Esq.—My Dear Sir: I received the copy of your work, and have carefully read the first part and a portion of part second, and I can truly say it meets my most unqualified approbation. It is one of the most conclusive arguments I have ever read upon any disputed subject.”

The *New York Freeman's Journal* of June 1, 1878, thus notices “THE POISON FOUNTAIN:”

“A few weeks ago we published an extract from a volume of the Hon. Zach. Montgomery, of the California bar, on ‘Anti-parental Education as the POISON FOUNTAIN’ of modern society. It was a very startling passage. We wish Mr. Montgomery, whose political record is so good, would republish the first part of his essay in some house in the east, so as to get a wider cir-

culatation. Zach. Montgomery is a deep thinker, and a brave, bold talker. He has presented his subject admirably. It has been stated long ago, and our Holy Father Pope Leo XIII, has anew said the self-same truths. But Zach. Montgomery has spoken these truths in his own way with great force and precision; and with the evident conscience of a man who has been willing to suffer for his convictions."

PROTESTANT AND SECULAR INDORSEMENTS.

The following letters and press notices indorsing "THE POISON FOUNTAIN," are from either Protestant or Secular sources—all of California:

Rev. W. H. PLATT, a talented and leading Episcopalian minister of San Francisco, wrote:

"MARCH 23, 1878.

"HON. Z. MONTGOMERY—My Dear Sir: First, let me thank you for the compliment of sending me your book; and secondly and deeply for the book itself. Its array of facts and its irrefragible logic, cannot fail to do good."

Mr. A. ADAMS, an intelligent Protestant gentleman, writing from Savannah, Los Angeles county, April 1, 1878, among other things, says:

"To say that I was pleased with 'POISON FOUNTAIN,' would not express the degree of satisfaction I felt. I am struck with the similarity of our views on the school question, and bid you God-speed in propagating your views as contained in the publication before me. I see that you, a Catholic, and I, a Protestant, are united here."

HON. DR. T. W. DAWSON, formerly of Shasta City, now of Downey City, Los Angeles County, Cal., a clear headed thinker, but a non-religionist, under date of May 26, 1878, says:

"My much esteemed friend: I have delayed the acknowledgement of my thanks for your kindness in sending me a copy of your master production and arguments on our Public School system. On speaking of this subject of our Public Schools, I find that there are many persons in this section who are in harmony with you in sentiment on the subject, and when they

shall have had access to your array of facts and arguments will certainly become aroused to a proper sense of the importance of the subject; for I honestly believe that your array of facts and reasoning are simply unanswerable."

The *Oakland Press*, a secular paper, in its issue of February 16, 1878, had the following:

"POISON FOUNTAIN OR ANTI-PARENTAL EDUCATION," is the title of a book just published by one of Oakland's most distinguished lawyers, Hon. Zach. Montgomery. It is an essay and discussion upon the school question, from a parental and non-sectarian standpoint, wherein the decline of parental authority, the downfall of family government, and the terrible growth of crime, pauperism, insanity and suicides in America are traced directly and unmistakably to our anti-parental Public School system. Every family should have this work as much as a Bible.

The *Colusa Sun* of March 2, 1878, speaking of the "POISON FOUNTAIN," says:

"It is a powerful plea in favor of parental education as opposed to State education. It shows that there are six criminals in the States, where State education was the rule, to one in the States where parental education was the rule. Whatever Mr. Montgomery says is said with force and without circumlocution, and no parent could spend money or time better than in purchasing the book, and reading it. The subject is one of vast importance, and parents should at least inquire into it."

The *Oakland Mirror* of March 16, 1878, speaks thus of the "POISON FOUNTAIN:"

"The author and genial gentlemen, a prominent member of the California bar, and old-time resident of Oakland, needs no introduction to the readers of the *Mirror*. We did not begin this notice with a view of making a criticism, but rather to note the fact that all the critics of the great metropolitan journals have thus far conspicuously refrained from pointing out the fallacies (if there be any) in the arguments which Zach. Montgomery has used in the construction of the POISON FOUNTAIN. Some of them have ventured to say 'Tain't so,' and that is as far as any of them have gone. The book has created something of a sensation in our city—the Athens of the

Pacific coast and while a great majority of our people stand back aghast, and hold up their hands in holy horror at the idea of a man attacking the Public School system, the very well known honesty and straightforwardness of our fellow-citizen, the author, causes some of the dazed to exclaim: 'Can it be possible that Zach. is right?' and that if the wonderfully interesting book of figures is hallucinatory, why do not some of the papers show it up? And so says the *Mirror*. The POISON FOUNTAIN is finding such ready sale throughout Oakland, we think it is a duty these papers owe to their readers, to point out the poison in the book in question, if it has poison in it."

The *Pacific*, the oldest and leading Congregational paper on this coast, after quoting entire the title page of the POISON FOUNTAIN, in its issue of March 7, 1878, says:

"We give the title of this book in full. The subject is important and seems to be handled with ability. As we have been able to give it only a cursory examination, we cannot pass judgment upon every statement; but we are sure that every intelligent citizen will find in it matter worthy of his earnest attention."

The *Amador Dispatch*, one of the longest standing and most influential secular papers in the interior of California, in its issue of April 6, 1878, has the following:

"OUR SCHOOL SYSTEM ATTACKED.

"We have just received from Mr. Z. Montgomery, of Oakland, a book published by that gentleman, entitled 'THE POISON FOUNTAIN; OR ANTI-PARENTAL EDUCATION,' which is an open attack upon our system of public education. We have not had time to give the book that careful consideration which its importance demands; but from the cursory view we have taken of it, we believe that it should be fairly read by every parent in the country. It is to be expected that many are so wedded to our established school system, that they will often harshly and ignorantly condemn any and every thing that does not praise and uphold that system. But such persons should remember that no matter how popular a wrong may be, or how long it may have existed, it is no less a vice. In fact, the more popular a vice becomes, the greater its power to do wrong. We all agree that a people properly educated are more moral, virtuous, con-

tented, happy and law-abiding than the ignorant; but when they are improperly educated they are the more ignorant and vicious. It is easier to overcome simple ignorance than it is to banish false ideas to which we have been educated. We are satisfied that our school system is far from perfect, and when we consider the vast sums of money expended for the education of our children, and the responsibility of that education, it behooves us to inquire whether such money is properly expended or not. Mr. Montgomery produces apparently conclusive figures to show that our New England system of education is a grave evil. He shows that those thus educated furnish 6 criminals to 1 where Public Schools do not exist; the proportion of paupers, 2 to 1; of insane, 2 to 1; suicides, 4 to 1, and so on. If these serious facts are the results of the Public Schools, then let their power be checked. This whole matter is ably discussed in the publication referred to."

The *San Rafael Herald* of April 6, 1878, after giving the title of the book says:

"The work is a masterly review of our school system, exposing its defects, and suggesting remedies. It is replete with interesting essays and discussions from a parental and non-sectarian standpoint. Every parent in the land should read it."

The *Truckee Republican* of April 3, 1878, in noticing the "POISON FOUNTAIN," says:

"It is devoted to essays and discussions on the school question from a non-sectarian standpoint, and will undoubtedly be very acceptable in many homes."

The *Watsonville Transcript* of April 5, 1878, says:

"The author of the POISON FOUNTAIN takes the ground that the school system which prescribes certain studies and certain teachers for children, and makes it a crime to refuse to send children to such schools, is very pernicious, and increases crime. It is an ably written work, and we advise all interested in our Public Schools to get and read it."

The *San Joaquin Valley Argus* of April 13, 1878, supplements a quotation from the POISON FOUNTAIN, with the following:

"The above is a neatly bound volume of one hundred and eighty-eight pages from the pen of the talented Zach. Mont-

gomery of the California bar. This little book contains some very strong arguments against the Public School system, and the author gives figures in proof of what he asserts. And we do fearlessly say, and faithfully believe, that every intelligent person who will give this ably prepared work a thorough perusal, and the figures their careful attention, cannot but be convinced of the rottenness of the present Public School system, and that this system is kept alive only through the vile trickery of political wire-workers, and the ignorance or lack of investigation on the part of parents. We hope that our readers will send for the work, and read it carefully, and with an unprejudiced understanding."

The *Crescent City Courier* of April 10, 1878, after quoting from the "POISON FOUNTAIN," says: "It is an interesting and instructing volume, and contains many a good lesson for parents."

QUALIFIED INDORSEMENTS.

The following are specimens of partial indorsements of, and partial objections to, the "POISON FOUNTAIN," by gentlemen of acknowledged ability, who are not yet prepared to go quite so far in their opposition to certain features of the Public School system as does the author:

The *Solano Herald* of April 11, 1878, speaking of the "POISON FOUNTAIN," among other things, says:

"The author of the book, Zach. Montgomery, is well known to many of our readers as a prominent member of the California bar, and a forcible writer. Everybody who is at all familiar with the character and ability of the author of this little work, will be prepared to receive it as a valuable acquisition to the library. In the body of the book he gives strong reasons why the parental system of education should be encouraged, and gives many reasons to prove the evil tendency of the Public School system. There are many things discussed by the author in which we entirely agree, but he is rather radical upon other propositions; still, we don't know but that we might accept his radical views if it were not for the fact that we would rather remain under a cloud than fly to ills we know not of. Nevertheless, the book deserves a wide sale, for no one can read it without receiving new ideas, and

most important ideas, too, in the government and training of children. You must not expect it to be a delicate, polite affair, for the author has the reputation of handling things without gloves, and he not only handled his subject in this book without gloves, but he got his hands calloused with sand-paper before he started in."

The *Inyo Independent* of April 6, 1878, concludes a notice of the POISON FOUNTAIN, as follows:

"The work is one that touches upon a subject in which we feel a very deep interest; it attacks a system of which we have always been an ardent supporter. Nevertheless, we look upon this book as one that may be read with profit by all not bigoted in the belief that perfection has been reached in our present methods of education under State laws.

From a mere cursory examination of the book we find much in sentiment as well as considerable in assumed facts to which we dissent *in toto*, but until time and opportunities permit a more thorough examination we shall make no effort at a review or answer to any of the statements presented, or expression of opinion as to the merits or demerits of Mr. Montgomery's proposed changes in our school laws or school system."

The *San Francisco Evening Bulletin* of February 16, 1878, had the following:

"ZACH. MONTGOMERY ON THE SCHOOL QUESTION.

"There is one thing we like about Zach. Montgomery. He is outspoken. He does not mince words or "falter in a double sense." The reader is not left in doubt as to what he means, or how he proposes to correct the evils, real or imaginary, he combats. We believe, moreover, that he is scrupulously honest. He is the farthest possible remove from a demagogue; for the views he advocates are not and probably never will be popular. He looks upon the Common School system as the bane of American society—the author of all our social woes. And so impressed is he with this belief, so earnest is his conviction that it is the central curse of the land, that he has gone to the trouble and expense of printing a book on the subject, which is entitled: 'The Poison Fountain, or Anti-Parental Education; Essays and Discussions on the School Question.' It contains one hundred and eighty-nine pages, and traces the decline and down-

fall of parental authority, the ruin of family government, and the alarming increase of crime, pauperism, insanity and suicide in the United States, which are, in the author's view, the direct and legitimate offspring of our anti-parental Public School system; compares it with the parental system and claims to prove by official figures that those trained under the former system furnish in proportion to population six criminals for every one furnished by those trained under the latter system. It must be admitted that the author's positions are fortified by some suggestive facts. The weak points of our school system are pointed out with much clearness, and the most is made of some grave errors in the school administration here and elsewhere. But when Mr. Montgomery asks us to accept his sweeping assertion that the system is a curse to a free country, he asks what is revolting to the moral sense of the great body of the American people. Our Common School system, with all its faults, is vastly better than what preceded it, and the demoralization which the author charges to its account has quite a different parentage from what he assigns to it."

AN ENCOURAGING VOICE FROM THE CALIFORNIA STATE UNIVERSITY.

The following is a letter addressed to the author of "POISON FOUNTAIN" by one of the most distinguished professors of the California State University, a gentleman who, as an author and scientist, has acquired a world-wide reputation:

"UNIVERSITY OF CALIFORNIA,
"BERKELEY CAL., April 8, 1878. }

"Dear Sir: I have read your book with some care, and have lent it to others, who, on my representation, desired to read it. The subject is one on which I have thought much, but which is very complex, and has many sides, and therefore cannot be discussed in a letter.

"This much I can say, however: I fully concur with you in your view that any education which weakens the family tie, strikes at the very foundation of society, and no amount of good in other directions can atone for this greatest of all evils. I fully concur with you also in your opposition to *compulsory* State education. This certainly strikes at the integrity of the family, for it makes children "the wards of the State." I fully believe also that *private schools*, each parent choosing his own,

furnish a better education, all things considered, than any Public School system.

But on the other hand, I perceive also that private schools must be supplemented by *poor* "schools," and I well know the evils and the odium of poor school systems like all other public charities. Unless, indeed, the several churches should undertake the poor schools. This would, I think, take away much of the odium. My present feeling, therefore, is this: I am not prepared to oppose the whole Public School system until I am more convinced than I am yet that its evils cannot be amended without the total destruction of the system. I am not yet sure that its evils are now greater than its benefits, or greater than other systems, or that these evils cannot be greatly diminished, if not removed, by the prevalence of the proper virus. That there are evils connected with the system, I have no doubt, and that you have pointed out some of these, I have also little doubt; but that this is *the* fountain of all the poison of modern society is perhaps more doubtful.

"Finally, the evils of State education, such as they are, show themselves most clearly in the early education. In the highest education: *i. e.*, in university education, I think they almost, if not wholly, disappear, because university education deals, or ought to deal, with *men*, not boys. Besides, the appliances of university education are so expensive as to forbid the undertaking of this grade by private enterprise, or by private munificence, unless in very wealthy and highly cultured communities. I am quite clear, therefore, that State education here is the only possible in young States, and young States can best afford to endow such institutes *without any tax on the people*.

"I thank you very cordially for your little book. I greatly admire its strong sense and its direct, trenchant, vigorous language.

Very truly, yours,

"JOSEPH LE CONTE."



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